

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING OCTOBER 17, 2016**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Monday, October 17, 2016 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members Gregg Westover, Dennis Boose, Bruce Abens, Bernadine Butkowski, Bob Chapek, Roseanne Johnson, and President Kevin Corcoran.

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

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the City Council meeting minutes of October 3, 2016. Are there any objections or corrections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note we received Administrative Committee meeting minutes dated October 3, 2016 and the Planning Commission meeting minutes dated October 11, 2016.

LOBBY (REGARDING AGENDA ITEMS ONLY):

Moved by President Corcoran and seconded by Boose to split the lobby session into two parts.

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

Yes – 7

No – 0

President Corcoran: Our first part of the lobby session is now open and if you would like to speak on something that is on the agenda for this evening, please step up to the podium. If not, there will be a later session that you can speak to us on anything you choose. Would anybody like to speak on agenda items only? Seeing none, we will move on to the Administrator's reports. Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. At your settings tonight you'll find an ordinance asking to amend ordinance number 5316-2016 which approved professional architectural services for the new fire station. I'm asking that this be placed on the agenda under first readings and that a temporary number be assigned by the Clerk of Council.

Moved by Mayor Gillock and seconded by Johnson to suspend the by-laws to add this under first reading.

Clerk of Council Smith: The number assigned is T 116, Mr. Mayor.

President Corcoran: On the motion to suspend the by-laws to add T 116 to first readings. All in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: T 116 has been added.

Mayor Gillock: Just a little explanation and we will come back to this when it comes up under first readings. In our efforts to move forward with the fire station and we have been looking at a specific property, the Pitts property on the east side of the new street to be constructed, Jaycox to the schools, we continue with the eminent domain proceedings, which are taking some time. We do know the schools had the property appraised a few years ago at \$1.1 million. We are not sure where that number might end up. In addition, during our due diligence and our geo technical surveys, we've determined that the dirt in that area is substandard and the architects have told us that it could cost in the area of \$180,000 to stabilize that soil. Subsequent to these events, we've identified a potential new location on the west side of Jaycox and a little further down on city property, that working with the architects, we've been able to site it between the wetlands. We wouldn't have to pay for it. It is on the site where the old tower used to be and so, we think the soil hopefully will be in good shape. We could potentially save anywhere between four and seven hundred thousand dollars by moving to this location. We think it is prudent that we do investigate that location and under the original ordinance which was \$696,000 and was the exact amount for the architectural services. Of course, if we are going to look at a new location, there is going to be additional fees required and additional due diligence and so, we need to increase that amount to \$745,000 to enable us to continue to take a close look at that second location. Hopefully we will save several hundred thousand dollars if it works out. We will get to that when it comes up under first readings.

T 108 under third readings, I am asking that the emergency clause be added in order to move forward with the Tax Increment Financing for the purpose of infrastructure improvements related to the Riddell project.

I would like to take this opportunity to extend an invitation to the public to join me this Thursday at Gormet Restaurant on Lorain Road for coffee and conversation. I will be available from 8:00 a.m. until 9:00 a.m. Come and have coffee and let me know your concerns or let me answer your questions.

Tots Trick-or-Treat will be a week from Friday, October 28 at 1:00p.m. for the tots trick-or-treat here at City Hall. Bring your little witches and goblins to march in the parade and receive a whole bunch of goolish treats donated by our city employees. It is a free event for children up to five years old. We ask that you pre-register by visiting Parks and Recreation website or calling 353-0860 so that we can plan to have enough treats for every child that comes through.

Also, a week from Friday will be the Senior Center Spaghetti Dinner from 5:00p.m to 7:00p.m. at the Senior Center.

City wide trick-or-treat will be held Monday, October 31st from 6:00 to 7:30p.m. That is Halloween on Monday, October 31st 6:00 to 7:30p.m. We ask that everybody please be careful in your travels that evening and that goes for the parents walking with their children as well as people driving down the streets.

Special leaf collection will begin. It is that time of year already. October 30 through November 29, as a reminder, beginning the week of October 31 through the end of November; on regular trash pickup days, leaves can be placed at curbside in plastic bags. After November 29th, leaves in plastic bags can only be left out as extra trash during bulk pickup, which is the first week of each month. So, during the month of November, you can put leaves out in plastic bags every pickup day.

Mills Road and State Route 83 Roundabout Open House. The City of North Ridgeville and the City of Avon are pleased to announce an open house to update residents and answer any questions regarding Mills Road and State Route 83 Roundabout project. Representatives from the design firm, American Structurepoint, will be available Tuesday, November 1 from 6:30 to 7:30p.m.; that is Tuesday, November 1 from 6:30 to 7:30p.m. at Willoway Nurseries at 4534 Center Road or Route 83 to discuss the project that is set for construction next year; summer of 2017.

Finally, this is probably going to get me into trouble, but we don't have any reporters here because they are probably getting lined up to watch the Indians game, the Canadian Judge did rule that the Indians can wear their uniforms with Chief Wahoo at the game tonight. That concludes my report.

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

B. Safety-Service Director: For the second year in a row, the Building Department; actually, Paul Blanchette through his hard work as well as Guy Fursdon, qualified three homes unfortunately, to be condemned and will be set up for demolition with the County. They are at

33591 Mills Road, 36496 Center Ridge and 4933 Lear Nagle. They have met all the qualifications according to the rules and regulations not only from the city, but for the County. Andy has graciously signed the letter to get them set up for demolition as soon as possible.

For those of you that have been traveling on Lear Nagle, which probably means all of us, and you headed south, you probably noticed the one lane going south, there was a red arrow that was constantly showing. It went from green, to yellow, to red and people were confused as to whether or not they could turn right on a solid red arrow. Fortunately, through residents giving us a call, we were actually able to bag that arrow so that it does not pop up. You can turn left on caution up there as you are going south, rather than violating the law and going through a red light because that is actually what was happening. A solid red arrow meant that you could not go left at that corner and it was backing traffic up going south on Lear Nagle. That has now enhanced the movement of traffic and it is no different in any other intersection in North Ridgeville where the green light goes off, you still have to turn left on caution. That completes my report this evening.

President Corcoran: Thank you. Mr. Engineer.

C. Engineer: Thank you, Mr. President. To piggyback on the Mayor's comments about the leaf pickup, I wanted to take this time to remind people that when managing your down leaves, to make every effort to keep the leaves from accumulating in drainage swales and ditches and blocking up catch basins in a road in an effort to try and minimize the flooding disruptions. That concludes my report.

D. Deputy Auditor: Absent

E. Other Reports:

President Corcoran: We have the September 2016 Fire Department report, the September 2016 Water Distribution report, the September 2016 Police Support Car report, the June 2016 and July 2016 Building Department reports and the September 2016 Mayor's Court report. We have an Administrative Committee report, Mr. Clerk.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Smith:

ADMINISTRATIVE COMMITTEE REPORT dated October 3, 2016 which the Committee considered T 105-2016 and recommends City Council adopt T 105-2016.

Moved by Boose, seconded by Butkowski to accept the Administrative Committee report dated October 3, 2016.

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 is accepted. Moving on now to new business.

CORRESPONDENCE: None

OLD BUSINESS: None

President Corcoran: Moving on to new business.

NEW BUSINESS:

Clerk of Council Smith:

Planning Commission action(s) taken at the October 11, 2016 meeting:

APPLICANT: Karen Morell, Trustee, Dairy Grove, 35455 Center Ridge
OWNER: Frank E. Morell Trust F/B/A Karen Morell, 9528 Avon Belden Road
REQUEST: Approval to install additional parking due to the removal of existing parking by the State for the Center Ridge Road Widening project.
LOCATION: 35455 Center Ridge Road in a B3 District.
Permanent Parcel No. 07-00-021-118-041
PC ACTION: **Approved by a vote of five to zero.**

Moved by Butkowski and seconded by Johnson to accept the Planning Commission report.

Councilwoman Butkowski: Mr. Chairman, I attended that meeting and it was easily approved as she was just rearranging her parking lot so she could keep as many spots as she had. I think she added about six more. She just moved them around on the same property. There was nothing to object to on that. It just keeps her in business.

President Corcoran: Any comments or questions other than Mrs. Bukowski's? All those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: That has been approved. Moving on to recess.

RECESS:

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

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

Yes – 7

No – 0

President Corcoran: Moving on now to first readings. T 114.

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Smith:

T 114-2016 AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. SECTION 721.15(D).

(Introduced by Mayor Gillock)

President Corcoran: T 115.

Clerk of Council Smith:

T 115-2016 AN ORDINANCE AMENDING ORDINANCE NO. 5209-2015 TO REMOVE THREE (3) PARCELS DESIGNATED THEREIN FROM THE TAX INCREMENT FINANCING PROGRAM ESTABLISHED BY THAT ORDINANCE.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Johnson to dispense with the second and third reading for T 115-2016.

Mayor Gillock: Mr. President, by way of explanation; as Council will recall during the last year or so, we established TIF districts throughout the city in many different locations and in what we called the old shopping center that consisted of three parcels we designated under that program to be designated as a non-school TIF and the paperwork was filed. You have to wait one year for it to become official. We are still within that period of time. With the Riddell project, we are doing a different kind of TIF. They did some property consolidation which changed the parcel numbers. However, it is still the same property. Before we can enact the new TIF, we need to repeal the old TIF to get rid of the one that we set up, which was a non-school on those three parcels. That is what T 115 does and then we can enact T 108, which is the new TIF worked out with Scannell, the developer.

Law Director Crites: Mr. Mayor, what do you think in terms of adoption this evening because you discuss adding the emergency to the Riddell TIF. If we do so, we want to add the emergency to 115 which is amending the previously existing TIF to remove those three parent parcels. Our deadline with the Riddell TIF is the beginning of the next tax year, correct, December 31st.

Mayor Gillock: Mr. President, we need to get the Riddell TIF enacted soon and I would like to do it this evening with the emergency because we still have to work out with the County exactly what is going to go into the TIF, but the TIF will take effect January 1, at which time the County will issue bonds and use that money to pay for the things covered by the TIF including repaying Scannell who advanced \$1.5 million to the city to build the road. That is how Scannell gets paid

back. There are other items that go into that as well. The T 115 just becomes a matter of keeping it clean. You don't do them at the same time. You get rid of one TIF and enact the other so that there aren't two TIFs on the same property at the same time. It really won't take effect until January 1.

President Corcoran: Since it doesn't take effect until January 1, can't we just skip the emergency? We have plenty of time.

Mayor Gillock: If we pass it tonight, October 17, then it officially doesn't take effect until November 17, which because of the holiday season, will only give them a month and a half to prepare the items that will go into it. At our last meeting in regards to what goes in it, they were talking different things. They asked if anything else had to be added and I said yes, we have to make sure that the legal fees are in there. We want to make sure that we are covered. We can wait, but I really don't want to wait until the last minute. We've been working on this for a year.

Law Director Crites: Mr. President, I would agree with just the mechanics of it, that even if we do add the emergency 108, the Riddell TIF, it would be okay to not add the emergency to 115 because that is being done separate to ensure that there isn't a duplication of tiffing the parcels of land and largely to make sure that things are correct and clean at County Auditor's office. I would agree and advise that it is completely acceptable to pass 115 tonight without the emergency, if you go forward and pass 108 with it. That works.

President Corcoran: Any questions about all that?

Councilman Boose: Mr. President. I'm just not clear from the difference between the two TIFs. What is the main difference between the TIF that has already in place versus this one?

Mayor Gillock: The main difference is the TIFs we set up in advance, were non-school TIFs. Meaning the school still got their portion. We only used our portion and the County portion to pay for public improvements. Under the TIF that we are using, we use 100 percent of the real estate taxes for public improvements.

Councilman Boose: Thank you.

President Corcoran: It was moved and seconded to dispense with the second and third readings for T 115. All those in favor say yes. Those opposed say no.

Moved by Butkowski and seconded by Johnson to adopt T 115.

President Corcoran: Any final comments or questions?

Mayor Gillock: Mr. President, just one final comment so that the general public understands. When we do a TIF that includes the school's portion, we have an agreement that the schools will get 47 and a half percent of the new municipal income taxes generated by the project. So, not

only are they gaining income by construction dollars, once those 400 jobs are there and they start paying one percent income tax, the school will get almost half of that also.

President Corcoran: Clerk, please call the roll.

Yes – 7 No – 0

Clerk of Council Smith: Measure passed unanimously and it becomes **Ordinance 5403-2016**.

President Corcoran: T 116.

Clerk of Council Smith:

T 116-2016 AN ORDINANCE AMENDING ORDINANCE NO. 5316-2016, WHICH
APPROVED PROFESSIONAL ARCHITECTURAL SERVICES FOR THE
NEW FIRE STATION, BY INCREASING THE AMOUNT FROM \$696,000.00
TO NOT TO EXCEED \$745,000.00.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Johnson to dispense with the second and third reading for T 116-2016.

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

Yes – 7 No – 0

Moved by Mayor Gillock and seconded by Johnson to adopt T 116.

Moved by Mayor Gillock and seconded by Johnson to add the emergency to keep the project on construction timeline.

President Corcoran: On the emergency clause itself. All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: On the adoption with the emergency clause. Clerk, please call the roll.

Councilman Boose: Mr. President, first off I am suggesting that we amend the ordinance before us. In the first whereas and I brought this to the Clerk's attention today and she was supposed to bring it to the Law Director's attention and I'm not sure if she did. It says whereas the Pitts Blvd. location. That is incorrect. That is actually the Pitts property and not Pitts Blvd. That is incorrect.

Moved by Boose and seconded by Johnson to amend T 116 in the first whereas to read the Pitts property and remove Pitts Boulevard.

Law Director Crites: Mr. President, Dennis there is some issue with the title. Could we just generically call it the Pitts property? There have been some transfers recently in preparing for

what could be an acquisition of it and to be specific, I would be more comfortable with generically calling it the Pitts property.

Councilman Boose: I am fine with that.

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

Yes – 7

No – 0

Councilman Boose: Mr. President, since we are requesting an additional \$49,000 in funds, the actual amended contract calls for about \$44,000 and I don't have an issue with saying up to additional 49 just in case something cost just a little bit more. Do we know how much was already spent on the similar services that this amendment will provide for the new location from the Pitts location? Do we know how much we spent there roughly?

Mayor Gillock stated he can't tell you right off the top of my head, but he can get that information for you to a point. There have been monies spent on the geo scientific borings, soil borings, which is how we found out about the bad soil. Part of this is for the architect to revise previous drawings by relocating the site. They have spent hundreds of thousands of dollars on architectural services already and then there were other services, such as the survey, the borings and the phase one environmental. We can get those numbers.

Law Director Crites: If I may. It's important to understand that this is a design build type contract and so this architect will sit on top of many of the subs that the funds will be flowing through. Only half of this increase in fee will actually go to the architectural firm for architectural services for this relocation. The other half will go to geo technical, surveying, etc.

Councilman Boose: In the city's preliminary review of the city's property that we want to put it on which I believe is the city's property directly north of Service Garage. The city owns three parcels there right in a row. Have we done any kind investigation of anything done in the past to kind of mitigate so that we don't have to do this a third time?

Mayor Gillock: That is what this does is investigate the property to see what kind of shape it is in and whether it will work there or not. That is why we do the soil borings too.

Councilman Boose: Two last things. In the original contract in exhibit A compared to the one we received today that is pending this legislation's approval, one thing that was eliminated was the additional environmental survey. Originally, that was included in the Pitts property, but it is specifically not being requested by us for this property. Is there a reason why?

Law Director Crites: I can speak to that. Because we already own it, the liability exposure for environmental contamination comes from transferred from Party A to Party B. We already own it. If we were looking to sell it to a third party they might want that ESA, but because we are using land we already own, there is no need.

Councilman Boose: Wouldn't we want to know as part of our due diligence that if something was there even though the liability is to ourselves that we might have to mitigate that at a cost.

Law Director Crites: Of course, but we are very much deferring to the expertise of the architects who felt the same as it being unnecessary situation.

Councilman Boose: But the architect specifically says that they have no knowledge or expertise in the environmental portion of it.

Law Director Crites: They have also told us that we don't need the ESA.

Councilman Boose: I am very anxious to have this project move along as quickly as possible so that the fire department gets their new digs for a number of reasons. I would hate to have us spend good money after bad not knowing that gee if we would have spent some money up front for an environmental survey. Again, noting the difference between the two. Finally, this is my final question. The project budget including hard costs and soft cost is now less than the original cost estimate from the original contract, even when you discount the potential cost of the property at \$525,000 per the original contract. Are we looking to save the tax payers that money? Are we looking to invest more in some of the amenities at the station? Do we know that yet?

Mayor Gillock: We don't know that yet. During our earlier discussions, especially using the other property, there were indications that we may be looking over the 8.2 million that the levy provides and I made it extremely clear that that is it. That is all we have to spend. We are not going over budget, which is part of the reason in looking at this second parcel is intriguing where it might save us some money. We have not reached the point now especially looking at this second parcel to see exactly where we are on budget. I can assure you we will not be over budget, but I don't know how much under budget. I haven't discussed this with the Fire Chief, but I think when we design this the way it wants to be designed and I can't see us just; because there is room in the budget, start adding unnecessary things on and if you come in under budget, that is what the bonds are issued for and only that amount of money. So, we would save tax payer dollars. I can't tell you right now, budget wise, where we will be at until we finish this survey at the second location.

Councilman Boose: Thank you. I am very excited that the project is moving forward. It has been eight months since we passed the original legislation and so I am glad it is moving forward. I am also glad that we have the potential to save a half million dollars or more in land acquisition costs and so, I am very much in favor of the project. Thank you.

Councilman Abens: Excuse me. A question I have for you is how long has that site been active, shall we say? How many years? I was just wondering because what I am worried about is someone could have buried something there sometime in the past.

Mayor Gillock: That particular location is where the pervious tower was that we just took down. It was there forever and was in deteriorating condition and so, we took it down and built the new one. That opened that space up. There really hasn't been any use back there other than the tower and our office building. Our borings will tell us what the soil is like and what might be done. I don't think there is anything down there.

Councilman Abens: I would agree.

Mayor Gillock: That is why we do the soil borings.

Councilman Abens: The only trouble with the soil borings is that they tell you what is going on in that exact spot and that is it.

Mayor Gillock: Yes, but that is the way it is done. You can't dig the whole site up to see what is there. You do soil borings. Just like the other site did tell us it was bad soil, luckily this one won't.

President Corcoran: We are voting on the motion to adopt with the emergency clause as amended. Clerk, please call the roll.

Yes – 7

No – 0

Clerk of Council Smith: Measure passed unanimously and it becomes **ordinance 5404-2016**.

President Corcoran: Moving on to third readings as there are no second readings. First up, we have T 103.

SECOND READINGS: None

THIRD READINGS:

Clerk of Council Smith:

T 103-2016 PID NO. 102554 PROJECT NAME: BRIDGE INSPECTION PROGRAM
SERVICES; AN ORDINANCE COOPERATING WITH THE DIRECTOR OF
THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM BRIDGE
INSPECTIONS.

(Introduced by Mayor Gillock; First reading 9/19/16; Second reading 10/3/16)

Moved by Johnson, seconded by Butkowski to adopt T 103-2016.

Councilman Boose: Mr. President, have we identified anything to date that isn't in Exhibit A. Understanding we only pay for those things that are not there. Have we identified anything we are looking to do?

City Engineer Wangler: Could you repeat that?

Councilman Boose: In the ordinance in Exhibit A, these are the things that are being paid for that the City doesn't have to pay for and anything that we add, we would have to pay for. My question is, is there anything that we have identified that we want to add.

City Engineer Wangler: No.

Councilman Boose: Finally, my last question is if they find something, what is our responsibility as a city? For example, I know sometimes if we identify an issue, our liability increases or could increase because we know of it and have to address it. If and when they would find anything that would be our responsibility, do we have a time frame of when we would have to take care of it or what happens then? Just to understand our potential liability.

Mayor Gillock: Mr. President. If I may chime in here first. We've done a bridge inspection program for years. We used to use a private contracting firm and all of our bridges are rated and there is guidance on what you have to do and when you have to make repairs and so forth. The State has taken over this program. They are just taking over that inspection program. There is a lot of discussions about who is really responsible for paying for bridges. I believe that there is an Ohio Revised Code that says it is the County's responsibility, but they often come to us. If you remember Sugar Ridge, where the County said it is our responsibility, we'll take care of it but we are going to have to go to NOWACCA and get funds or we are going to have to close the bridge for five years. If you chip in and help us, we could do it this year. So, we stepped up to the plate to keep the bridge open. There are guidelines. They are not always black and white but, if you want to add to that.

City Engineer Wangler: Yes, it is an annual report card and as bridges go through their life span they start out ranked at 10 and as they deteriorate and their life span gets used up it drops down. It is information that as a City Engineer, I want to know proactively, as the Mayor said the responsibility for some future unknown defined problem can't be answered at this point. It would be a situation that would be dealt with as the information came to us as far as who would participate and whose responsibility it is.

Councilman Boose: Again, I would like everyone to understand any potential monetary investment we would have to make depending upon what they find.

President Corcoran: Clerk, please call the roll.

Yes – 7

No – 0

Clerk of Council Smith: Measure passed unanimously and it becomes **ordinance 5405-2016**.

President Corcoran: T 107.

Clerk of Council Smith:

T 107-2016 AN ORDINANCE APPROVING THE FINAL PLAT OF RIDGEFIELD
SUBDIVISION PHASE NO. 13 FOR RECORDING PURPOSES ONLY.

(Introduced by Mayor Gillock; First reading 9/19/16; Second reading 10/3/16)

Moved by Johnson, seconded by Butkowski to adopt T 107-2016.

President Corcoran: Clerk, please call the roll.

Yes – 6

No – 0

Abstain – 1 (Corcoran)

Clerk of Council Smith: With one abstention, the measure passed and becomes **Ordinance number 5406-2016.**

President Corcoran: T 108.

Clerk of Council Smith:

T 108-2016 AN ORDINANCE DECLARING IMPROVEMENTS TO CERTAIN PARCELS
OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE
PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH
PARCELS, REQUIRING THE OWNER OF THE IMPROVEMENTS
THEREON TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES,
ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX
INCREMENT EQUIVALENT FUND FOR THE DEPOSIT OF SUCH
SERVICE PAYMENTS, AND RELATED AUTHORIZATIONS PURSUANT
TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43.

(Introduced by Mayor Gillock; First reading 9/19/16; Second reading 10/3/16)

Moved by Johnson, seconded by Butkowski to adopt T 108-2016.

Moved by Johnson, seconded by Butkowski to add the emergency due to the time
constraints of getting this done before the holidays.

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

Yes – 7

No – 0

President Corcoran: It was moved and seconded to adopt T 108 with the emergency clause.
Any final comments or questions? Clerk, please call the roll.

Yes – 7

No – 0

Clerk of Council Smith: Measure passed unanimously and it becomes **Ordinance number 5407-2016.**

MEETING ANNOUNCEMENTS:

President Corcoran: Our next regular Council meeting will be held Monday, November 7, 2016
at 7:30 p.m. here in Council Chambers.

LOBBY (Q&A - REGARDING ANY CITY BUSINESS): Our second lobby session is open. If you would like to address Council for any reason, step up to the podium and state your name and address for the record and you will be given some time to speak.

1. Albert Krage of 37903 Sugar Ridge spoke of the truck traffic that continues to go down Sugar Ridge citing the name of the trucking companies as well as specific times they are traveling Sugar Ridge. The problem isn't going away. He stated that nothing is being done about it. He noted that he hasn't seen a police officer on his street in a week. He noted a rumor that was being told that if a truck gets ticketed, the ticket is thrown out. He stated that safety and the condition of the roadway is getting worse.

President Corcoran: Sir, your three minutes are up and we will allow the Mayor to respond as I know he was asking to do so.

Mayor Gillock: Mr. President, I made it a point to go up and down Race. I'm certainly not there as much as Mr. Krage, but I've been there at least four times within the last week and I haven't seen a truck there once. I did go to Elyria for LCCC meeting on Friday and our Police Officer was sitting in a driveway on Sugar Ridge. So, I know that they are patrolling. We will remind them again. They have been ticketing trucks. As far as being dismissed in Mayor's Court, I have no idea as I don't conduct Mayor's Court, but we will find out. To my knowledge the traffic has been severely reduced and I do know the police are patrolling because I have seen them myself. We will remind them again.

Councilman Boose: I communicated with the Police Chief I believe last week on that very issue because a resident in that area contacted me about a similar experience and the Police Chief indicated to me that there have been tickets that have been written. Again, while they are not out there all the time because they have to cover the entire city, but they have been out there. That was his response to me. I do know that even though we can't be everywhere, I'm sure that the Mayor and the Safety-Service Director will communicate with the Police Department, that again understanding that you can't be everywhere all the time. I think you can be there when you know that there is a known issue and we know that there is a known issue on Sugar Ridge. I'm sorry, Sugar Ridge and Race. Again, I think we can try to be there perhaps a little more often than we have. I really appreciate that you were able to identify not only some specific carriers, but specific times and perhaps if we spent a couple days at those times or perhaps contacting those carriers that might help solve the issue. I'm sure you can't eliminate everything because there are always going to be people breaking the law for whatever reason, but I certainly would look forward to being able to reduce that substantially now that the signs are back. Companies know that they are not allowed to have trucks down there and see what happens. Thank you very much for bringing that to our attention with the specifics.

Albert Krage cited a specific occasion while he was riding his bike where a police officer was going east and a semi-truck was waiting on Race Road. He pointed at the semi to the officer. The semi pulled out traveling behind the police officer and never got a ticket.

Moved by President Corcoran and seconded by Butkowski to go into Executive Session to discuss pending litigation.

President Corcoran: Clerk, please call the roll.

Yes – 7

No – 0

Meeting recessed to Executive Session at 7:22p.m.

Meeting reconvened at 7:43p.m.

ADJOURNMENT:

President Corcoran: This meeting is adjourned. The meeting was adjourned at 7:44 P.M.

Approval of minutes on November 7, 2016:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL