

**NORTH RIDGEVILLE CITY COUNCIL  
MINUTES OF REGULAR MEETING OCTOBER 3, 2016**

**CALL TO ORDER:** 7:30 P.M.

President Corcoran: Calling to order the Monday, October 3, 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, Roseanne Johnson, and President Kevin Corcoran.

Absent was Council member Bob Chapek.

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

Mayor Gillock announced the excused absence of Deputy Auditor Teresa Machovina.

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

President Corcoran: You have before you the City Council meeting minutes of September 19, 2016. Are there any objections or corrections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note we received the Parks and Recreation Commission meeting minutes of June 22, 2016, the Parks and Recreation Commission meeting minutes of July 27, 2016, the Parks and Recreation Commission meeting minutes of August 24, 2016, the Civil Service Commission meeting minutes of September 20, 2016, the Workers Comp Safety Committee meeting minutes of September 22, 2016, and the Board of Zoning and Building Appeals meeting minutes of September 22, 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 – 6

No – 0

President Corcoran: The lobby sessions are split into two parts where the first one is dedicated to the items that are on the agenda. That lobby session is open. If you would like to speak about an

agenda item, please step up to the podium and state your name and address for the record and you will be given three minutes to speak on those issues. If you would like to speak about something that is not on the agenda, you will be given a chance later on in the meeting during the second lobby session. Is there anybody that would like to address an agenda item this evening? Seeing none, we will move on to the Administrator's reports. Mayor, you are up.

### **ADMINISTRATORS REPORTS:**

**A. Mayor:** Thank you Mr. President. I would like to ask that T 108 under second readings be passed with the emergency clause in order to move forward with the Tax Increment Financing for the purpose of infrastructure improvements related to the Riddell Project.

Also, I would like to ask that T 113, a resolution and support for the development of U.S. Bike Route 30 be adopted this evening in order to meet the Ohio Department of Transportation deadline of October 14. That project, U.S. Bike Route 30, is a route that ODOT is putting in that is basically for skilled and professional type bike riders. It passes through North Ridgeville. They will put signage up and indicate that path.

I am happy to report that the City of North Ridgeville once again received the Auditor of State Award for a clean auditor report and excellent record keeping. This award is presented to local governments and school districts on the completion of an extensive financial audit. The City's audit report did not contain any findings for recovery, material citations, material weaknesses, significant deficiencies, single audit findings or questioned costs. I would like to take this opportunity to especially thank the Auditor's office and Teresa Machovina, the Department Heads and City Council for their due diligence in monitoring and maintaining our finances and expenditures. Our community should be proud of this accomplishment and know that their tax dollars are being well spent for the purpose for which they were appropriated.

The Lorain County Commissioners announced a CHIP grant kickoff meeting to be held tomorrow at 6:00 P.M. at the Lorain County Administration Building, 226 Middle Avenue in Elyria, 4<sup>th</sup> Floor, Public Hearing room. The CHIP grant, as you may recall, we used to always get that here. They changed the program to be managed by the County. The CHIP grant funding provides home repair, rehabilitation for homes located in Lorain County and for homeowners that meet the income and project eligibility requirements. Applications will be made available after the kickoff meeting at several locations throughout Lorain County or you can visit the Lorain County Commissioner's website at [www.loraincounty.us](http://www.loraincounty.us).

The public is cordially invited to attend a ribbon cutting ceremony at the Senior Center to celebrate the opening of the Older Adult fitness station. This event will be held this Friday at 11:30 a.m. and following the ceremony, lunch will be served at the Senior Center. If you would like to attend, rsvp's are requested no later than Noon, October 3, which is a little late so we will give you another day; or by calling 353-0828. A licensed physical therapist from St. John's Medical Center will be on hand to demonstrate the use of the equipment. The equipment was made possible by grant received by the Lorain County General Health District and assistance

from sponsors Orthopedic Associates, St. Johns Medical Center, North Ridgeville Heart and Sole program and North Ridgeville Seniors.

Finally, the Lorain County General Health District will be conducting a flu clinic at our Senior Center on October 17<sup>th</sup> from 1:00p.m. to 3:00p.m. Please be sure to bring your insurance card. They will accept most private insurance, Medicare Part B and Medicaid. The cost without insurance is \$25.00 per dose or \$41.00 per high dose for age 65 and older. For a complete list of the flu shot clinics, you can visit the City's website for dates, times and locations.

I would like to add that when we get to T 110 and T 111, I will add comments. That concludes my report.

President Corcoran: Mr. Mayor, I'm going to the Law Director chime in on T 108.

Law Director Crites: Yes, if I may Mr. Mayor. I thought we discussed this briefly, but it has been a while. Per my discussion with our outside TIF counsel, Pam Hanover at Squire, Patton, Boggs, because of the date the School Districts acknowledged receipt of the notice of TIF legislation, she has asked that we do not pass T 108 until the October 17<sup>th</sup> meeting. At that time, also, I'll be submitting a brief amendment of the prior TIF ordinance passed that encompassed the parent parcel. So, just as a matter to ensure that we had the adequate 15 day notification, she has asked that it be deferred for passage until October 17<sup>th</sup>.

Mayor Gillock: That's fine. Thank you.

President Corcoran: Mr. Safety-Service Director.

**B. Safety-Service Director:** This past weekend we had Fire Station number one open house to display not only our equipment over there and manpower, but also some of the trucks from the Service Department were there on display. This was, again, extremely successful. From what Fire Chief John Reese reported, there were over 300 individuals that came through the open house. It is something that seems to be growing every year. The Fire Department and all of those that volunteered to help just did an outstanding job putting this successful event on for the City of North Ridgeville and for the residents.

This past week we finished surfacing Island Road. I believe that it is bermed at this point and so that is complete. They still have to go back and stripe that road as we do others. We still have a little bit of money left and at this point, I am not sure exactly which road we are going to do. There will be a little more asphaltting done this year and the Street Department did an outstanding job with no hiccups. It went well and we didn't have any issues like we did last year on Bagley Road. That mistake, I don't think will happen again. That concludes my report this evening.

President Corcoran: Thank you. Ms. Engineer.

**C. Engineer:** Thank you Mr. President. Now that the grass is growing quickly again, it requires frequent mowing. Please keep the clippings out of the street in order to prevent them from entering the storm water drainage system which flows to our streams and rivers. Disposing of grass clippings in the street can create slippery conditions for drivers, flooding and storm water quality issues. When the drainage system becomes blocked with grass clippings, it creates a potential for flooding that could result in property damage. Also, riding lawn mowers should be driven in a direction so that the shoot does not discharge the clippings onto the street where they can become a slippery hazard to motorcycles and bicycles in addition to other vehicles. When possible, recycle the clippings by using a mulching mower. That concludes my report.

President Corcoran: Thank you. As mentioned, the Deputy Auditor is not here, but we do have the August 2016 Financial report, just as a note.

**D. Deputy Auditor:** Excused

**E. Other Reports:**

**COUNCIL COMMITTEE REPORT(S):** None

President Corcoran: Moving on now to correspondence.

**CORRESPONDENCE:**

Clerk of Council Smith: We have two items of correspondence this evening.

- 1). Registration information received from Ohio Municipal League (OML) announcing their 65<sup>th</sup> Annual Conference to be held October 26 through October 28, 2016 in Columbus, Ohio.
- 2). Notification of Filing of the 2015 State Audit from David Yost, Ohio Auditor of State.

**OLD BUSINESS:** None

**NEW BUSINESS:** None

President Corcoran: Would anybody like a recess?

**RECESS:**

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

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

Yes – 6

No – 0

President Corcoran: Moving on then to first readings. T 110 is up first.

**FIRST READINGS:**

**Ordinance and Resolution submittal(s)**

Clerk of Council Smith:

T 110-2016 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 UPGRADE OF THE INFLUENT ELEVATOR SYSTEM AT THE FRENCH CREEK WASTE WATER TREATMENT PLANT, NOT TO EXCEED \$250,000.00.

*(Introduced by Mayor Gillock)*

Mayor Gillock: Mr. President, during appropriations, we appropriated \$175,000.00 for this project. Corey Timko, Superintendent contacted Otis Elevator, ThyssenKrupp and Schindler. He went to two, but will receive bids from three of them. It does indicate that the costs will probably going to be in the \$215,000 to \$225,000 range. He asked for an additional \$75,000 to cover those costs and give him a little extra room. I contacted the members of the Finance Committee to request approval to use the French Creek Contingency Fund, which has \$150,000 in it and has not been used this year. All three agreed with that. We now do have \$250,000 appropriated and you could pass this tonight if you so desire. It is just an ordinance to allow us to go out for bids and enter into a contract. Jeff, you may have more input as to the urgency and the condition of the elevator.

Safety-Service Director Armbruster: The elevator itself goes down four stories and unfortunately, more and more individuals are getting stuck in between floors. That is why it has become an important thing to be done as quickly as possible. If we could pass this, this evening it would make all the sense in the world. I certainly don't want anybody stuck in an elevator. It is a two man elevator and most of the time there is just one guy and it is pretty scary at times.

Councilman Boose: Mr. President, once they begin construction, do we know how long it will take to replace?

Safety-Service Director Armbruster: I don't have an answer to that. That would be something that Corey would have to answer.

Councilman Boose: Is there a second way to get down there during construction?

Safety-Service Director Armbruster: We have stairs to go down all the way to the wet well.

Councilman Boose: I can appreciate this as I've been in that elevator and if I got stuck in between the top and the bottom that wouldn't be a good thing.

Safety-Service Director Armbruster: It jerks every once and a while doesn't it?

Moved by Mayor Gillock and seconded by Westover to dispense with the second and third readings for T 110.

President Corcoran: Are there any comments or questions?

Councilwoman Johnson: I just want to say that this was discussed during appropriations. Thank you.

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

Yes – 6                      No – 0

Moved by Boose and seconded by Johnson to adopt T 110.

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

Yes – 6                      No – 0

Clerk of Council Smith: Measure passes unanimously and becomes **Ordinance number 5398-2016.**

President Corcoran: T 111.

Clerk of Council Smith:

T 111-2016    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 REPLACEMENT OF THE HEATING, VENTILATION AND AIR CONDITIONING (HVAC) SYSTEM AT THE FRENCH CREEK WASTE WATER TREATMENT PLANT, NOT TO EXCEED \$175,000.00.  
(Introduced by Mayor Gillock)

Mayor Gillock: Mr. President, this was appropriated during our annual appropriations.

Moved by Mayor Gillock and seconded by Boose to dispense with the second and third readings for T 111.

President Corcoran: Are there any comments or questions?

Councilman Boose: Yes, Mr. President. Do we know if this is something that we want to get done before the end of the year?

Safety-Service Director Armbruster: Yes it is. Last year and several years prior to this, we have had issues with heating and air conditioning. We are at the end of the life on the equipment that we have out there and Corey wants to get after it as quickly as possible.

Councilman Boose: If I can recall some of the discussions during appropriations, that because of the nature of some of the testing and things they do out there that it sometimes becomes critical. Certainly, I am all in favor if we discussed something, approved and appropriated it. Let's get it done within the year we appropriated it. Thank you.

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

Yes – 6                      No – 0

Moved by Boose and seconded by Butkowski to adopt T 111.

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

Yes – 6                      No – 0

Clerk of Council Smith: Measure passes unanimously and becomes **Ordinance number 5399-2016.**

President Corcoran: T 112.

Clerk of Council Smith:

T 112-2016    A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO  
SQUIRE PATTON BOGGS (US) LLP IN THE AMOUNT OF \$12,311.02.

*(Introduced by Mayor Gillock)*

Moved by Mayor Gillock and seconded by Butkowski to dispense with the second and third readings for T 112.

Mayor Gillock: Mr. President. I did discuss this with the Auditor today. This is related to the TIF for Riddell and it will be our intention to recoup these costs through one of the two grants that we have for the project.

Councilman Boose: Just to follow up on that. It is my understanding that if more than two grants can't be used or if there is not enough money in the grants to do that, than the developer would pay it.

Mayor Gillock: That is correct.

Councilman Boose: Thank you.

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 Johnson to adopt T 112.

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

Yes – 6                      No – 0

Clerk of Council Smith: Measure passes unanimously and becomes **Resolution number 1392-2016.**

President Corcoran: T 113.

Clerk of Council Smith:

T 113-2016    A RESOLUTION IN SUPPORT FOR THE DEVELOPMENT OF THE UNITED STATES BIKE ROUTE 30 (USBR 30).

*(Introduced by Mayor Gillock)*

Moved by Johnson and seconded by Butkowski to dispense with the second and third readings for T 113.

President Corcoran: Are there 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 113.

Moved by Johnson and seconded by Butkowski to add the emergency clause in order to meet the filing deadline of October 13.

President Corcoran: On the emergency clause itself, all those in favor say yes. Those opposed say no. Clerk, please call the roll.

Yes – 6                      No – 0

President Corcoran: It was moved by Johnson and seconded by Butkowski to adopt T 113, now with the emergency clause. Any comments or questions? Clerk, please call the roll.

Yes – 6                      No – 0

Clerk of Council Smith: Measure passes unanimously and becomes **Resolution number 1393-2016.**



President Corcoran: Moving on to second readings. First up we have T 103.

**SECOND 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)

President Corcoran: T 104.

Clerk of Council Smith:

T 104-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A THIRTEEN MONTH CONTRACT (WITH RENEWAL OPTIONS) ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND/OR BEST BIDDER FOR CUSTODIAL SERVICES, NOT TO EXCEED \$81,500.00 PER YEAR.

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

Moved by Mayor Gillock and seconded by Butkowski to dispense with the third readings for T 104.

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

Yes – 6

No – 0

Moved by Butkowski and seconded by Johnson to adopt T 104.

President Corcoran: Are there any comments or questions?

Councilman Boose: Mr. President, I have a couple of questions. In the second whereas it talks about the services provided. It talks about the three Shady Drive restrooms. Do they also clean the concession stands at Shady Drive? They clean the one at South Central. If so, should we add that to the list?

Mayor Gillock: I can't answer that.

Safety-Service Director Armbruster: I can't either. I think we maintain the concession stands ourselves with our staff. We have to close it up because it is provided by the health department. I can't honestly answer that question.

Councilman Boose: Are there any services not listed in here that are different than what the current contract reads? Or are they the same?

Safety-Service Director Armbruster: I don't know.

Councilman Boose: Thank you. It is my understanding that in addition to these services, we do pay extra for some things like floors and things like that.

Safety-Service Director Armbruster: Yes.

Councilman Boose: Great. Thank you.

President Corcoran: Clerk, please call the roll.

Yes – 6

No – 0

Clerk of Council Smith: Measure passes unanimously and becomes **Ordinance number 5400-2016.**

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)*

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)*

President Corcoran: That is the end of second readings. Moving on to third readings, we have T 96 Amended.

**THIRD READINGS:**

Clerk of Council Smith:

T 96-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 432.42, VENDING FROM  
Amended VEHICLE PROHIBITED, AND N.R.C.O. SECTION 854.02, SOLICITATION  
ON PUBLIC STREETS OR SIDEWALKS PROHIBITED IN ORDER TO  
CONFORM WITH NEW N.R.C.O. CHAPTER MOBILE FOOD VENDORS.  
(Introduced by Mayor Gillock; First reading 08/01/2016; Referred to Safety on 08/01/15; Safety on  
08/15/2016; Report accepted on 09/06/16; Second reading 9/19/16; Amended by substitution 9/19/16)

Moved by Butkowski and seconded by Johnson to adopt T 96 as amended.

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

Yes – 4                      No – 2 (Boose, Abens)

Clerk of Council Smith: Measure passed and becomes **Ordinance number 5401-2016.**

President Corcoran: T 101.

Clerk of Council Smith:

T 101-2016 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; First reading 09/06/2016; Second reading 9/19/16)

Moved by Butkowski and seconded by Johnson to adopt T 101.

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

Yes – 6                      No – 0

Clerk of Council Smith: Measure passes unanimously and becomes **Ordinance number 5402-2016.**

**MEETING ANNOUNCEMENTS:**

President Corcoran: Our next regular Council meeting will be held Monday, October 17, 2016 at 7:30 p.m. here in Council Chambers.

**LOBBY (Q&A - REGARDING ANY CITY BUSINESS):** We have our second lobby session of the evening open now. If you would like to address Council and the Administration, please step up to the podium, state your name and address for the record. You will be given three minutes to speak. Is there anyone that would like to address either body?

Councilman Boose: Mr. President. I would like to make an announcement. Spookville, which is sponsored by the North Ridgeville Lions Club will be taking place this Friday and Saturday, October 7<sup>th</sup> and October 8<sup>th</sup> at South Central Park from 6:00 p.m. until 9:00 p.m. It is a family friendly Halloween trail through a children's maze and then you decide whether you want to face your fears on the haunted path. Children 10 and under are welcome and encouraged to wear a costume.

President Corcoran: Is there anybody else?

**ADJOURNMENT:**

President Corcoran: This meeting is adjourned. The meeting was adjourned at 8:00 P.M.

Approval of minutes on October 17, 2016:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL