

**NORTH RIDGEVILLE CITY COUNCIL  
MINUTES OF REGULAR MEETING NOVEMBER 7, 2016**

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

President Corcoran: Calling to order the Monday, November 7, 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 Jeffrey Armbruster, Law Director Andrew Crites, Deputy Auditor Teresa Machovina, City Engineer Scott Wangler, and Deputy Clerk of Council Donna Tjotjos.

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

President Corcoran: You have before you the City Council meeting minutes of October 17, 2016. Are there any objections or corrections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note we received the Civil Service Commission meeting minutes of October 18, 2016 and the Board of Zoning and Building Appeals meeting minutes of October 27, 2016.

**LOBBY (REGARDING AGENDA ITEMS ONLY):**

Moved by President Corcoran and seconded by Boose to bifurcate 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: The first part being dedicated for the items on the agenda this evening, the second for the items of general concern. We are opening up lobby session right now. It is strictly for the items that are on the agenda for this evening. If you would like to speak on any of those issues, please step up to the podium. You will be given three minutes to speak on those topics. If you would like to speak on something else, we will have a second session later on in the evening. Would anybody like to speak on the agenda items right now? Moving on then to the Administrator's reports; Mr. Mayor, you are up first.

### **ADMINISTRATORS REPORTS:**

**A. Mayor:** Thank you Mr. President. On tonight's agenda, I am requesting that Council pass, with the emergency clause, Resolution T 117 so that we can meet the County Auditor's deadline. The Resolution gives us the ability to accept the amounts and rates that are determined by the Budget Commission and to authorize the necessary tax levies and certify them to the County Auditor.

I would like to take this opportunity to read an email that I received from our Fire Department Captain Paul Sadowski:

"On October 27th the Fire Department was dispatched to a call of an unresponsive person. Upon our arrival they were met by Lt. Tony Lee, and Patrolmen John Metzko, Brad Parker and Brian Barnes who had already begun treating the patient. The patient was overdosing on heroin and thanks to the quick actions of these officers, he was able to regain consciousness shortly after we got him in the ambulance. With all of the recent situations that we and many other cities have been experiencing, the need for the Police and Fire Departments to work together on scene has increased dramatically. In this particular situation they were able to not only secure the scene prior to the Fire Department arrival but also administered Narcan in a quick and appropriate manner. Once we arrived, the officers were helpful in getting us the information we needed and helped us to prepare the patient for transport. The crew and I would like to thank them and to make everyone aware that the safety services provided to the City of North Ridgeville are superior thanks to the quick and professional actions of these men."

I have to agree that we have one of the best, if not the best, Safety Services around. Our Fire Department and Police Department are true professionals and are well versed in all aspects in their respective fields. Thank you to both of them for all that they do for our City.

Congratulations to our Parks and Recreation Department on receiving a \$52,244.00 grant for the NatureWorks Grant Program administered by the Ohio Department of Natural Resources for rehabilitation of the South Central Park tennis court. Thank you to our Parks and Recreation Department staff for continually looking for ways to improve our Park's programs through grant dollars saving our City and residents those funds.

We received a number of calls from residents regarding the recent announcement that First Energy Solutions terminated their contract with NOPEC effective January 1, 2017. First, I wanted to emphasize that this has basically been resolved and there will be no interruption of service regardless of what might occur. A letter went out which was a little confusing. It stated that if you do nothing, you would revert to First Energy. That would be true if NOPEC did not take any action. However, I am on the Board with NOPEC and during a 3:00 p.m. emergency meeting this afternoon, we approved a new contract with NextEra, who does our gas supply. Northeast Ohio Public Energy Council (NOPEC) has reached an agreement with NextEra Energy Services. It is a three year agreement, which will replace our current contract. For the first eight months you will receive the same discount as you receive now. After that we will revert to a

formula that we will use similar to what we use with our gas program. NOPEC customers, as required by law, will receive their opt-out notices probably the week of Thanksgiving, but I want to confirm that if you do nothing, you will remain with NOPEC. NOPEC is an opt-out program. So as long as we have a contract, you are automatically in NOPEC unless you choose to opt-out. We have our contract in place again with NextEra who does our gas program. To quote the Executive Director of NOPEC, "They are thrilled to expand our relationship with NextEra". I would add one other statement that when we entered into this agreement with them, NextEra will provide NOPEC with renewable energy certificates so that 50% of NOPECs energy usage will be from renewable energy. It's a great program also for the environment in using renewal energy. Just to reiterate, if you do nothing, you will stay with NOPEC. NOPEC has a program.

Lastly, I want to state that in observance of Veteran's Day, City Hall offices will be closed this Friday, November 11. Thank you to all the Veteran's, past and present, for serving our Country and protecting our freedom.

Once again, tomorrow is Election Day and if you have not already voted, please do so. It is not only a right and a privilege, but to a certain extent, it is our duty. Please vote if you have not done so.

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

**B. Safety-Service Director:** That is a great segway as to what is happening on Lear Nagle tomorrow. Lear Nagle will be open both north and south. Terrace will be pouring concrete up on Lorain Road. Traffic will be maintained both ways during that entire pour. The only time flaggers will be involved is when they are over the 480 bridge. The traffic will be maintained and there shall be no hindrance to the election polling place at VFW hall. There are two precincts that vote there and there shall be no hindrance of anybody being able to vote at that polling place tomorrow; no more than what there is right now with the construction on Lear Nagle.

Starting Wednesday, the Fire Department has made arrangements to dispatch from Fire Station number one and two as to the route they will need to take when the north bound lane on Lear Nagle will be closed. The Chief has also spoken to Westlake. Their station is near St. John Westshore and if we need their help, that have been instructed on what roadways are closed in order for them to help. So, the Fire Department and Police Department have made arrangements for Wednesday, Thursday and Friday to handle any emergency in that area. That concludes my report.

President Corcoran: Thank you. Mr. Engineer.

**C. Engineer:** Thank you, Mr. President. I had planned on spelling out the Lear Nagle detour to which Mr. Armbruster has so eloquently done. So that concludes my report.

President Corcoran: Thank you, Mr. Engineer. Ms. Deputy Auditor.

**D. Deputy Auditor:** Thank you Council President. The Mayor covered T 117. T 118 is a Resolution for expenditure of funds and I just want to let Council know that these funds have been appropriated for. The reason for the Resolution is due to a shortfall. The purchase order that is in place did not cover the over charges. That concludes my report.

**E. Other Reports:**

President Corcoran: We have the August 2016 and September 2016 Building Department reports and September 2016 Police Department report.

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

**CORRESPONDENCE:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:** None.

**RECESS:**

President Corcoran: Would anybody like a recess?

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

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

Yes – 7                      No – 0

President Corcoran: Now first readings, we have T 117 up first.

**FIRST READINGS:**

**Ordinance and Resolution submittal(s)**

Deputy Clerk of Council Tjotjos:

**T 117-2016** A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

**(Introduced by Mayor Gillock)**

Moved by Johnson and seconded by Butkowski to dispense with the second and third reading for T 117.

President Corcoran: Any comments on that action? All those in favor say yes. All those opposed say no.

Yes – 7                      No – 0

Moved by Johnson and seconded by Butkowski to adopt T 117.

Moved by Johnson and seconded by Butkowski to add the emergency to T 117 in order to meet the filing deadline with the County Auditor.

Councilwoman Johnson: Also, I wanted to note that in section four, it states that it was moved by Boose and seconded by Johnson. We will need to change that.

President Corcoran: That was a place holder from the last time. Let the Ordinance reflect the correction. On the addition of the emergency clause being added to T 117. All those in favor say yes. Those opposed say no.

Yes – 7                      No – 0

President Corcoran: Any final comments or questions?

Councilwoman Johnson: I just wanted everyone to know that the reason for the emergency clause was to meet the filing deadline of the County Auditor.

President Corcoran: Clerk, please call the roll.

Deputy Clerk of Council Tjotjos: Mr. President T 117-2016 is adopted with the emergency and becomes **Resolution number 1394-2016**.

Yes – 7                      No – 0

President Corcoran: T 118.

Deputy Clerk of Council Tjotjos:

**T 118-2016** A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO DON MOULD'S PLANTATION IN THE AMOUNT OF \$13,302.45.

**(Introduced by Mayor Gillock)**

Moved by Butkowski and seconded by Johnson to dispense with the second and third reading for T 118.

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

Yes – 7                      No – 0

Moved by Butkowski and seconded by Johnson to adopt T 118.

President Corcoran: Any final comments or questions?

Councilwoman Butkowski: Do we need the emergency on this legislation?

Mayor Gillock: We don't have to add the emergency, but I think by law we have to pay this within 30 days of completion and the work is already done. Mould is our contractor that makes all the water taps for the City and I believe this one was for Riddell. They were instructed to do the work and the purchase order wasn't written in a large enough amount. My apologies, it was actually done for Harvest Ridge Church.

Moved by Mayor Gillock and seconded by Johnson to add the emergency to T 118 for work that has been completed and to pay in a timely fashion.

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

Yes – 7                      No – 0

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

Deputy Clerk Tjotjos: Mr. President T 118-2016 is adopted with the emergency and becomes **Resolution number 1395-2016.**

Yes – 7                      No – 0

President Corcoran: T 119.

Deputy Clerk of Council Tjotjos:

T 119-2016    AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS FOR THE PURPOSE OF UPGRADING THE MAYOR'S COURT VENUE AND OPERATIONS, WHICH WILL INCLUDE THE PURCHASE OF CONSTRUCTION MATERIALS, CONSTRUCTION, AND THE PURCHASE OF EQUIPMENT AND APPURTENANCES FROM THE STATE CO-OP OR FROM PRIVATE VENDORS AT AN EQUIVALENT OR LESSOR PRICE, NOT TO EXCEED A TOTAL CUMULATIVE AMOUNT OF \$81,200.00.

**(Introduced by Mayor Gillock)**

President Corcoran: I will refer this to the Administrative Committee.

President Corcoran: Moving on to second readings, we have T 105.

**SECOND READINGS:**

Deputy Clerk of Council Tjotjos:

**T 105-2016** AN ORDINANCE IMPOSING A MORATORIUM ON THE GRANTING OF BUILDING PERMITS OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE FOR THE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED ONE HUNDRED EIGHTY (180) DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, IN ORDER TO ALLOW COUNCIL AND THE PLANNING COMMISSION TO REVIEW APPLICABLE OHIO STATUTES, CRIMINAL CODES AND THE PLANNING AND ZONING CODE RELATIVE TO SUCH USE.  
**(Introduced by Mayor Gillock; First reading 09/19/2016; Admin on 10/03/2016; Report accepted 10/17/2016)**

President Corcoran: T 114.

Deputy Clerk of Council Tjotjos:

**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; First reading 10/17/2016)**

President Corcoran: There are no third readings.

**THIRD READINGS:** None.

**MEETING ANNOUNCEMENTS:**

President Corcoran: Our next regular Council meeting will be held Monday, November 21, 2016 at 7:30 p.m. here in Council Chambers.

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

President Corcoran: Moving on now to the second lobby session. That is for items of general concern. Mr. Green, you've already handed in a slip that said you wanted to speak. So, step up to the podium. State your name and address for the record. We will give you three minutes to speak.

Terry Green, 6893 Root Road: referred to the cleanup of 6873 Root Road stating that there were six people this junk yard affected. Everyone involved wishes to thank the Mayor, Safety-Service Director, Legal Department, Building Department and anyone else that had a hand in the cleanup which also includes Loparo Landscaping and Mike's Hauling. Loparo Landscaping and Mikes Hauling were on that site for long hours every day. The first two days the Police Department had to be called because the homeowner blocked the ingress/egress with a U-Haul truck and did the same thing with her personal vehicle. He stated the homeowner claimed, during a BZA meeting, that the workers burned items. He stated that the workers didn't burn anything, the

homeowner did and there was a Fire Department response to that because she was burning construction debris. She stated that there were priceless items on the property, but she had two years to wrap those items in bubble wrap and stick them in the house. He thanked everyone involved. He stated that it is still not good, but it is 100 percent better than what it was.

President Corcoran: Is there anyone else that would like to speak to Council or the Administration? This Lobby session is closed.

Moved by Corcoran and seconded by Johnson to go into executive session at this time to consider the appointment, employment and discipline of public employees.

President Corcoran: Clerk, please call the roll.

Deputy Clerk Tjotjos: Mr. President, the motion was approved by a vote of seven yes and zero no.

Yes – 7

No – 0

President Corcoran: Just for your information, we will go into executive session like we have the last couple of times. We will come back just to adjourn the meeting. There is no reason to stay. We won't conduct any other business once we come back up.

Meeting recessed into executive session at 7:50 p.m.

Meeting reconvened at 8:48 p.m.

**ADJOURNMENT:**

President Corcoran: This meeting is adjourned. The meeting was adjourned at 8:50 p.m.

Approval of minutes on November 21, 2016:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL