

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING JUNE 20, 2016**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Monday, June 20, 2016 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members Bruce Abens, Dennis Boose, Terrence Keenan, President Pro-Tem Bernadine Butkowski, Bob Chapek, Roseanne Johnson and President Kevin Corcoran.

Also present was Mayor G. David Gillock, Safety-Service Director Jeff Armbruster, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Kevin Smith, French Creek Wastewater Treatment Plant Superintendent Corey Timko and Clerk of Council George Smith.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the City Council meeting minutes of June 6, 2016. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: We received the Board of Zoning and Building Appeals minutes of May 26, 2016, the Building and Lands Committee meeting minutes of June 6, 2016, the Special Board of Zoning and Building Appeals minutes of June 10, 2016 and the Planning Commission meeting minutes of June 14, 2016.

LOBBY (REGARDING AGENDA ITEMS ONLY):

President Corcoran: That brings us to the lobby session of the meeting. We have a special presentation. Before we start lobby session, we are going to have Jake Wozniak come up to the podium over there. Please make your presentation sir, welcome.

Moved by Johnson and seconded by Butkowski to eliminate the three minute rule for lobby for Mr. Wozniak.

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

Yes – 7

No – 0

Jake Wozniak – Director of Public Finance – KeyBanc Capital Markets, Inc. presented a summary of transaction of the notes and bonds that have been worked on. He also distributed a hand out.

President Corcoran: We are just going to have one lobby session this evening. Would anyone like to address Council this evening?

Ok then, moving on to the Administrator's reports. First, we have Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. We are excited to have Riddell coming to North Ridgeville. They will be building a new state-of-the-art facility in the former shopping center on Center Ridge Road next to the bowling alley on the west end of town. We are all looking forward to working with them to expanding their operations with groundbreaking as early as next month. This is great news for the City as it will not only enhance the City's income tax base, but will also boost the economy with three hundred and fifty plus employees potentially conducting in North Ridgeville. Welcome Riddell football helmets.

The Service Department is finishing up paving on South Mills Creek Lane this week. Next week they will be milling and paving Meadow Moss Lane. As the Service Department moves through their list of streets to be paved this year, you will find that information posted on our City's website at nridgeville.org.

Tomorrow night, June 21st, Jennifer Smith, Physical Therapist for the Cleveland Clinic will be the North Ridgeville Heart and Sole Healthy Strides guest speaker. Healthy Strides combines a casual thirty minute walk proceeded by brief, informative talk by local health professionals and City officials. Meet at pavilion number one in South Central Park at 6:00 p.m. In the event of inclement weather, the walk will be cancelled for the evening. All members of the community are welcome to attend.

Enjoy a fun-filled event as North Ridgeville celebrates Independence Day on Saturday, July 2nd at South Central Park. Join us for music by Sorry William, bounce houses, games and food vendors. The event will be held from 7:00-9:30 p.m. with a spectacular fireworks show following at dark. The event is free except for the food vendors. The rain date for the fireworks is July 3rd. Please note, Bainbridge Road between Root Road and Route 83 will be closed at 4:00 p.m. on Saturday July 2nd and will reopen Sunday morning, July 3rd. We want to ensure everyone's safety while we enjoy the festivities.

In observation of Independence Day, City Hall offices will be closed on Monday, July 4th and will reopen Tuesday July 5th. Allied Waste will also be closed for the holiday resulting in trash pickup being delayed one day. Monday customers will be picked up on Tuesday, Tuesday customers will be picked up on Wednesday. Also, a reminder that is a bulk pick-up week.

Finally, congratulations to the Cleveland Cavaliers. Thank you and that concludes my report.

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

B. Safety-Service Director: There has been a lot of tree trimming on Mills Creek which I shared with City Council some of the information that we have collected, meeting with the residents not only in Mills Creek, but in other areas that we are doing paving. When we do paving, we have to make sure that the trees that are in the tree lawn are not sticking out over the road and if they are, then we are going to trim them so we can get the asphalt trucks as well as our snow plows down there safely. One of the problems we have run into – if we don't trim the trees on the street side is the mirrors on our trucks are now \$600 apiece. The damage to them can be severe and \$600 is not something we want to spend. There is no way that we can get the asphalt trucks with their beds up even down streets with our equipment unless we are able to do that. We are only doing the trimming where necessary. We are doing the trimming as the utility companies do trimming on all the rest of to keep the lines free on branches. It is unfortunate it has to be done, but it is something that is absolutely necessary in order to asphalt our roads and also keep our snow plows from being damaged and costing the taxpayers more money and school buses are the same way.

The Mayor is correct; we have to keep it clear for the school buses to get through there.

Today, in speaking with Al Swindig, our Service Department Superintendent, they did core sample Bagley Road. There are some holes that you can probably see a large square hole and some round ones that go all the way across. The core sampling will give us an idea why it failed, whether the tac coat underneath was properly applied and also it gives us the opportunity to analyze the asphalt itself and see if that was part of it. Hopefully we have those results back in the next couple weeks. There is every intent to complete Bagley Road, but we felt that Kokosing – in talking with them, they wanted to have the opportunity to have a look at it and there might be a possibility, might, I say might that Kokosing will help us if they find it is asphalt related – they will certainly help us with the asphalt cost. If it is tac related, I'm not sure where we are headed, but at least they are working with us. They are a very fine company and Al found them to be very good. That concludes my report.

Councilman Boose: Mr. President, a comment – when you talk about the tree trimming – not only does it save our vehicles from accidents and from unnecessary repair, but a properly trimmed tree not only saves the tree from damage that could be caused by vehicles or trucks but it also promotes growth. There are two sides to that. It is a good thing to trim the trees not only to save the vehicles but also to save the trees. Thank you.

President Corcoran: Thank you Mr. Armbruster. Mr. Engineer.

C. Engineer: Thank you Mr. President. I would like to address the issue of storing things adjacent to ditches. Storage adjacent to ditches especially floatables puts those things at risk at being swept away in a heavy storm event. Things such as firewood, pallets and children's playground equipment should be kept a safe distance back from the top of the bank. Beyond the risk of losing these things, once these things begin moving down the stream, they can be potentially lodged in culverts which cause a higher risk of flooding. We diligently work every day to keep our drainage ways clear so they service while we need them, but if floatables move

down stream and create an obstruction during a storm event, there is little we can do to address the problem until after the storm event has passed. That concludes my report.

President Corcoran: Thank you sir. Mr. Auditor.

D. Auditor: Thank you Mr. President. Deputy Auditor Machovina, she did work very hard on the recent bond and bond anticipation notes that Jake just reviewed. She also created the appropriation Ordinance tonight that cleans up the majority of the necessary account adjustments related to these issuances as well as some housekeeping items. With recent BAN commitment, the funding will be in place to begin paying the County for the Lear Nagle Road project and that request is also included. I am requesting this to be adopted this evening and passed as an emergency if at all possible and would be happy to try and answer any questions you may have. In addition, Council should have also received the May 2016 financial report. I am also working with Ms. Machovina on the upcoming Mayor's budget for 2017 and plan on presenting it to the Finance Committee prior to the July 18th Council meeting at which time we also hope Council will approve the budget as an emergency as it is due to the County on July 20th. That completes my report. Thank you.

President Corcoran: Mr. Clerk, can you give the amended appropriations Ordinance a temporary number?

Clerk of Council Smith: T 84-2016.

Moved by Johnson and seconded by Butkowski to suspend the By-laws to add T 84-2016 to the agenda under first readings.

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

Yes – 7

No – 0

President Corcoran: T 84-2016 is on the agenda under first readings.

E. Other Reports:

President Corcoran: We have the May 2016 Fire Department report, the May 2016 Support Car report and the May 2016 Water Distribution reports.

President Corcoran: That brings us to the Council Committee reports. Mr. Clerk, I'm going to interrupt you for a second and just say that this Building and Lands Committee report that was dated June 6, 2016 essentially covers the same subject matter, so we are just going to have the one report listing all the T numbers as one item instead of reading each one individually. If you don't mind, I am going to jump in there and read it myself because I know exactly what I am talking about.

COUNCIL COMMITTEE REPORT(S):

President Corcoran:

BUILDING AND LANDS COMMITTEE REPORT dated June 6, 2016 which recommends City Council adopt T 65-2016 as amended and T 66 through T 69 as submitted.

Councilman Keenan: Mr. Chairman, I would like to add as Chair of the Building and Lands Committee, each of these addressed very administrative clean up housekeeping duties which really related to the fact that we no longer use India ink to prepare plans, the size of the plans, the fact that we are now electronic, the number of copies and then there are five of these different reports because there was then an exercise by the Law Department to cross reference all the various times that the original section was referred to later on in the Ordinances. Building and Lands unanimously recommended these.

Moved by Keenan and seconded by Boose to accept the Committee reports.

President Corcoran: Just for clarification, the subjects were all related and they will have to be separate Ordinances, but the motion for the reports today will be one motion. Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: Those reports have been accepted. Moving on to the Planning Commission report.

NEW BUSINESS:

Clerk of Council Smith:

Planning Commission action(s) taken at the June 14, 2016 meeting:

APPLICANT: Abby T. Rainier, ThenDesign Architecture (TDA), 4135 Erie Street,
Willoughby, OH 44094
OWNER: North Ridgeville City Schools, 5490 Mills Creek Lane
REQUEST: Plat approval to improve and widen Bainbridge Road, south of the school
property.
LOCATION: 34600 Bainbridge Road I an R-1 District; Parcel no. 07-00-016-104-204
PC ACTION: Approved by a vote of three to zero.

Moved by Keenan and seconded by Boose to accept the Planning Commission action.

President Corcoran: Are there any comments or questions?

Councilman Keenan: I would make the comment as Council's representative to Planning that the presentation by the school architect on the traffic modifications to Bainbridge Road which included widening of a turn lane, left turn lanes, widening of a right turn lane are all in accordance with the traffic report. It passed unanimously.

President Corcoran: Did they say anything about when they will finish the project.

Councilman Keenan: No.

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

Yes – 7

No – 0

President Corcoran: Next.

Clerk of Council Smith:

APPLICANT: Jill Allan, Jim Rumbaugh, The Meritage Group, 772 Pine Valley Drive,
Pittsburgh, PA 15239

OWNER: NECH, LLC, 15835 Cowley Road, Grafton, OH 44044

REQUEST: Preliminary plan review for subdivision known as The Reserve at
Winfield Farms.

LOCATION: North side of Chestnut Ridge Road, West of Victoria Lane, East of
Bender and South of Terrell in an R-1 District; Parcel no. 07-00-036-000-
001

PC ACTION: Approved by a vote of three to zero.

Moved by Keenan and seconded by Boose to accept the Planning Commission action.

President Corcoran: Are there any comments or questions?

Councilman Keenan: On this one, this is a very nicely designed residential infill, I would call it, where there is existing residential to the east and to the west. It is also unique because this development will actually have lots in both North Ridgeville to the north and a minority component, about ten lots, in Eaton Township. There is direct access off of Chestnut Ridge Road in Eaton Township. Some of these lots, and it was clearly discussed and understood by the developer, that some of these lots in Eaton do not have a right of access into our wastewater treatment plant. There is a process they will have to undergo to bring those lots into approval and if they want to run their sewage into the wastewater treatment plant. As it was approved, they cannot do that. It was unanimously approved.

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

Yes – 7

No – 0

RECESS:

President Corcoran: This is the recess portion of the meeting. Would anyone 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: Moving on to first readings, we have T 81.

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Smith:

T 81-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, WITH LAKETEC COMMUNICATIONS, INC. FOR PROFESSIONAL INFORMATION TECHNOLOGY SERVICES TO INSTALL AND CONFIGURE THE COMPUTER NETWORK CABLING, HARDWARE AND VIDEO MONITORING EQUIPMENT AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$149,000.00.
(Introduced by Mayor Gillock)

President Corcoran: T 82.

Clerk of Council Smith:

T 82-2016 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO APPROVING AND RATIFYING AN APPLICATION FOR TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14 CREATED BY RESOLUTION NO. 768-94, BY ARC TERRA, LLC, AN OHIO LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.
(Introduced by Mayor Gillock)

President Corcoran: T 83.

Clerk of Council Smith:

T 83-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO APPROVE PAYMENT TO THE LORAIN COUNTY ENGINEER FOR THE CITY'S SHARE OF THE CONSTRUCTION COST FOR THE LEAR NAGLE ROAD WIDENING PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$2,908,853.10.
(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Johnson to dispense with the second and third readings for T 83 this evening.

Mayor Gillock: This is for our portion of the Lear Nagle improvements which are being made and the project is underway. We need to get this passed so we can begin making the payments for which we are being invoiced for our portion of the contract. I would ask that this would be passed by emergency tonight. Thank you.

Councilwoman Butkowski: Mr. Chairman, do we have to wait until we pass this budget before we can spend this money?

Auditor Smith: It can be done as long as it is within the same meeting.

Councilwoman Butkowski: Sometimes we had to wait and I just wanted to be sure we aren't spending money we don't have.

President Corcoran: I understand.

President Corcoran: Are there any other 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 83.

Moved by Mayor Gillock and seconded by Johnson to add the emergency clause to T 83 in order to keep work going and get the road improved.

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, any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5373-2016**.

Yes – 7 No – 0

President Corcoran: T 84.

Clerk of Council Smith:

T 84-2016 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 5320-2016 OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016.

(Introduced by Councilwoman Johnson)

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

President Corcoran: 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 84.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 84 in order to pay the expenditures that are overdue.

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 5374-2016.**

Yes – 7

No – 0

President Corcoran: Moving on to second readings, we have T 74.

SECOND READINGS:

Clerk of Council Smith:

T 74-2016 AN ORDINANCE CREATING THE FULL-TIME POSITION OF CLERK OF MAYOR'S COURT, CMC (CERTIFIED MAYOR'S COURT CLERK).

(Introduced by Mayor Gillock; First reading 05/16/2016; Referred to Finance on 05/16/2016; Finance on 05/31/2016; Report accepted on 06/06/2016)

President Corcoran: T 75.

Clerk of Council Smith:

T 75-2016 AN ORDINANCE AMENDING THE ORIGINAL DEPARTMENT HEAD SALARY ORDINANCE NO. 2725-93 AND SUBSEQUENT AMENDMENTS THERETO UP TO AND INCLUDING THE MOST RECENT AMENDMENT REFLECTED IN ORDINANCE NO. 5279-2015 BY INCLUDING THE FULL-TIME POSITION OF CLERK OF MAYOR'S COURT, CMC, AND ESTABLISHING THE PAY RATE SCALE FOR THIS POSITION.

(This will need a motion to amend by substitution)

(Introduced by Mayor Gillock; First reading 05/16/2016; Referred to Finance on 05/16/2016; Finance on 05/31/2016; Report accepted on 06/06/2016)

Moved by Johnson and seconded by Butkowski to amend T 75-2016 by substitution.

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 75-2016 is now amended. T 79.

Clerk of Council Smith:

T 79-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH WIRING UNLIMITED INC., A PROFESSIONAL ENGINEERING FIRM, TO PERFORM THE PHASE II UPGRADE OF THE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM (SCADA) AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$250,000.00.

(Introduced by Mayor Gillock; First reading 06/06/2016)

Councilman Keenan: Mr. Chairman, I see we have expertise in the audience. I would like to know is this something that we should be moving on right now? Why would we wait for something like this?

French Creek Superintendent Timko: What you have before you is the second part of the SCADA upgrade project that we started back in 2013/2014. We've completed that and so the rest of the buildings also need these components that help automate and control all of the systems within the plant. Are we in desperate need – I am not going to tell you that tonight because it is not an emergency, but it doesn't give us full automation control until these systems and actually the other Laketec Ordinance that you saw previously, until those two are completed, then the plant will have full automation control. So, no, it is not an emergency is the short answer. It needs to get done to optimize and to have a properly functioning and monitored plant.

Councilman Keenan: Mr. Chairman, may I ask a question? Corey, so have we paid for and installed equipment that is not fully functioning to its capacity because we haven't done this part?

French Creek Superintendent Timko: Well, yes and in relation to the other Ordinance the Laketec which I believe is T 81. There is a fiber network component and there are these various components that sit on that network and talk and monitor so that is what you see there. Some of those components are not fully capable of talking and controlling individual buildings because there is a network piece that has to be finalized. Just to give you an example – the plant had a fiber optic back bone put in, but not all the tentacles that went out to all the buildings. We have partial functionality, but not complete connectivity and control. This kind of buttons up and makes the entire system and the entire network work, but there are pieces that are sitting there offline until these are other pieces are completed and all be fully integrated.

Councilman Keenan: I am looking for the advantage to the City of waiting. Is there any benefit for waiting? Is there an administrative limit on your part to manage the installation? Is there any reason we should be waiting?

French Creek Superintendent Timko: No, I feel very confident that we have designed all these projects very well and that they are all necessary and according to industry standards and normal for any plant of this size. I don't see any advantage to waiting – no.

President Corcoran: Corey, do you need T 81 to pass before T 79?

French Creek Superintendent Timko: SCADA is actually a component on part of Laketec's network.

Safety-Service Director Armbruster: Mr. President, in order to complete the project, T 81 and T 79 have to be passed. T 81 connects everything. T 79 is a part of that but they had to be two Ordinances to go through. If it is possible to pass these to move them forward, both of them, we should move forward. It is in the budget.

French Creek Superintendent Timko: Yes, these are budgeted and appropriated for.

Moved by President Corcoran and seconded by Boose to reconsider T 81.

Moved by President Corcoran and seconded by Boose to dispense with the second and third readings for T 81.

President Corcoran: Any comments or questions?

Councilman Boose: Mr. President, just a reminder that the funds for T 81 have already been appropriated through the appropriations meetings earlier this year.

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

Yes – 7 No – 0

Moved by President Corcoran and seconded by Boose to adopt T 81.

Moved by President Corcoran and seconded by Boose to add the emergency clause to T 81 in order to get the project moving forward because a fully automatic project is necessary.

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

Yes – 7 No – 0

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

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5375-2016.**

Yes – 7 No – 0

Moved by President Corcoran and seconded by Keenan to dispense with the third reading for T 79.

Councilman Boose: Mr. President, just a reminder that the funds needed to pay for T 79 were appropriated during the appropriations meeting earlier this year.

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say.

Yes – 7

No – 0

Moved by President Corcoran and seconded by Keenan to adopt T 79.

Moved by President Corcoran and seconded by Keenan to add the emergency clause to T 79 in order to get the project fitted into the schedule.

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 5376-2016**.

Yes – 7

No – 0

President Corcoran: That is the end of second readings. Moving on to third readings, we have T 46 Amended.

THIRD READINGS:

Clerk of Council Smith:

T 46-2016 AN ORDINANCE ESTABLISHING A NEW N.R.C.O. CHAPTER ENTITLED
Amended “MOBILE FOOD VENDORS”.

(Introduced by Councilwoman Butkowski; First reading on 04/04/2016; Referred to Safety on 04/04/2016; Safety on 04/18/2016; Safety on 05/02/2016; Safety on 05/12/2016; Report accepted on 05/16/2016; Second reading on 06/06/2016; Amended by substitution on the floor on 06/06/2016)

Moved by Butkowski and seconded by Chapek to adopt T 46 Amended.

Moved by Butkowski and seconded by Keenan to add the emergency to T 46 Amended for the health, safety and welfare of the citizens 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 5377-2016.**

Yes – 7

No – 0

MEETING ANNOUNCEMENTS:

President Corcoran: Our next regular Council meeting will be held Tuesday, July 5, 2016 at 7:30 p.m. in Council Chambers.

ADJOURNMENT:

President Corcoran: This meeting is adjourned. The meeting was adjourned at 8:25 p.m.

Approval of minutes on July 5, 2016:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL