

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING JULY 18, 2016**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Monday, July 18, 2016 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by Boy Scout Troop 175.

ROLL CALL:

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

Councilman Bob Chapek was excused.

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

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the City Council meeting minutes of July 5, 2016. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: We received the Board of Drainage and Flood Control meeting minutes of April 26, 2016, the Planning Commission meeting minutes of July 12, 2016 and the Worker's Compensation Committee meeting minutes of June 23, 2016.

LOBBY (REGARDING AGENDA ITEMS ONLY):

Moved by President Corcoran and seconded by Boose to bifurcate the lobby session.

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

Yes -5

No – 0

President Corcoran: The first lobby session is open. If you have a comment about an agenda item, please step up to the podium and state your name and address for the record. You will be given three minutes to speak. Is there anybody who would like to speak this evening? Ok then, moving on to the Administrator's reports. First, we have Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. First the Service Department will be paving Meadow Moss Lane in the Mills Creek area Wednesday and Thursday of this week subject to weather conditions as we continue project in that area.

Specialized Construction began work today on phase 2 of the Jaycox Road reconstruction project. The reconstruction area begins approximately at 400 feet of Drake Street right by Liberty School where they left off last year and will go all the way to Mills Road. Depending on weather, all work is expected to be completed by mid-August before school resumes. Two-way traffic will be maintained with flaggers so be careful traveling in that area. We received a grant from the OPWC for \$358,000 towards the total \$607,000 needed for that project.

Maddock Road railroad closure – Road Safe Rail and Utilities notified the City that Norfolk and Southern will be closing the rail crossing on Maddock Road from July 25th through August 3rd to conduct maintenance in that area.

I would like to extend an invitation for residents to join me tomorrow morning at 8:00 a.m. at City Hall for coffee and conversation. This worked very well especially at City Hall for those that have questions or comments they may want to make. We just sit in the conference room and have a nice little talk.

Tomorrow also happens to be the Heart and Sole Healthy Strides event that Dr. Polly Dengel from the Cleveland Clinic will be guest speaker. It is a causal thirty minute walk preceded by a brief informative talk with the health professionals. It is at Pavilion number one at South Central Park at 6:00 p.m. In the event of inclement weather, the event will be cancelled. All members of the community are welcome to attend.

A few other things I wanted to mention: I received an email from the Hot Stove coordinator. The Hot Stove sent thirty-three teams to the respective state baseball and softball tournaments this weekend. Seven of those thirty-three teams have qualified for state. They all have the teams going to the state tournament in Warren, Ohio which consists of the Class A nine and ten year olds, Ohio Family Realty, Class B eleven and twelve year olds, Synergy, the Class C thirteen and fourteen year olds, Buckeye State Welding as well as Dynasty and those are all girls. On the boys side, we have the seven and eight year olds sponsored by Finish Touch Concrete, the nine year olds sponsored by Aut-O-Rama Twins and the fourteen and fifteen year olds, the Gladiators. Congratulations to all these teams and wish them good luck and hope we come home with seven state champions this weekend.

The last thing I want to mention is that I received a letter and we also had some phone calls last week about a rumor that is out there that Westlake was going to close Mills Road at Center Ridge Road. I called Mayor Clough in regards to this. There is no such plan or anything going on in regards to closing Mills Road. You don't have to worry about that. I just wanted to squelch that rumor as soon as I could. Thank you and that concludes my report.

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

B. Safety-Service Director: That is a good segway into my report with regards to closures – Ridgeview continues to be closed heading south and we have discussions on this a lot of them internally and with the Police Department, with Engineering – the flow of traffic down Root Road moves so smoothly as it heads north that it could turn left or right. With that, if you were to reopen Ridgeview at this point with Lear Nagle and all of the rest of the roads that we have torn up, it will certainly lessen the flow of traffic that has already blocked up at Lorain Community College at Lorain Road. For the near future, as we evaluate this on a week to week basis, we will continue to leave Ridgeview Blvd. closed for traffic entering Center Ridge Road and going south. There have been many discussions with regards to this, but it really does move traffic and we are going to leave it that way at this point.

The last phase of the utilities on Lear Nagle were moved this past weekend. For those of you that were driving, you probably saw the utility trucks out there pairing up thousands of different kinds of telephone pairs. Two poles have moved. We have two more to move but with the advent of the water line being, I think, Scott, are you going to talk about the water line at all?

Engineer Wangler: I was going to talk about sewers.

Safety-Service Director Armbruster: The Avon Lake water line, the thirty inch is going to be shut down to be able to transfer over to the new eight inch to North Ridgeville. So we will have a thirty inch and then eight inch water line so there will be water outages on Lorain Road and those businesses will be contacted and started today and will be again spoken with tomorrow personally, not just an email. If it means that we go out and visit, but from 10:00 p.m. to 6:00 a.m. on Friday morning, 10:00 p.m. Thursday to 6:00 a.m. Friday morning – the businesses that are actually on Lear Nagle and the west side as you head west on Lorain, which is Speedway side, will not have water from 10:00 p.m. to 6:00 a.m. There is no other way we can do it. We have to transfer that thirty inch line over and it is unfortunate but this is something that we have planned for a long time and we got ourselves backed up because of the utilities and this will happen and hopefully without a hitch. It could be less than eight hours, but it will be a job that is happening at night to lessen the impact in the area. Thank concludes my report.

President Corcoran: Thank you sir. Mr. Engineer.

C. Engineer: Thank you Mr. President. The contractor that is doing the sanitary sewer on Center Ridge Road is completed with the runs of sewer that run parallel to the road and there are three places where those runs are to run north and tie into our system. There has been a lot of fretting over the soil conditions and how we would go about doing that. Last week they were attempting to bore under Center Ridge Road so we would have no traffic impacts. They tried three separate times to bore it and they failed all three times. Boring those runs are not an option and they are going to be open cutting them, half and half, maintaining two-way traffic all the time and we are going to permit them to start an hour earlier than normal to take advantage of an hour of daylight in hopes that they won't only impact the morning rush hour and by the early

start, they will get wrapped up in time for the afternoon rush hour to be normal. They will start at Ridge Plaza and there is another at Ridgeview and one at Wildflower. They should take two days of digging and a third day to patch the asphalt. So three days for each one of those. That concludes my report.

President Corcoran: What is the problem with the soil there?

Engineer Wangler: It is a combination of rock, glacier deposits and sands. When they were doing the boring, the bores weren't running true. They would just deflect off.

President Corcoran: Thank you sir. Mr. Auditor.

D. Auditor: Thank you Mr. President. The Mayor's or otherwise known as the tax budget is a tool for political subdivisions and taxing authorities to use to assess the financial condition of the jurisdiction in time to place tax levies on the ballot if necessary. It is not necessary in our case. The statutory deadlines were established to foster this concept. As a reminder, the tax budget does not have to be in balance. That is expenditures can exceed resources thereby giving the ability to assess the ultimate needs of the City and the General Fund has historically been submitted with an anticipated negative fund balance which is acceptable for this tax budget but will need to be addressed for the 2017 appropriations. This budget is a great tool to prepare us for the actual 2017 appropriations and to take notice of any funds that may need special attention. These funds with concerns are of course, the General Fund, Street Construction Maintenance and Repair, State Highway, Motor Vehicle License Tax, Surface Drainage and Self Insurance Benefits Trust. Unless these estimated revenues or expenses change significantly, those funds will need to be balanced during the 2017 appropriations process. As a reminder, this budget needs to be submitted to the County by July 20th. I am asking that it be passed as an emergency so that we can provide it to the County by the deadline date.

Also, the Resolution to approve for the expenditure of \$246,920.48 to the Lorain County Auditor is requested to be approved tonight in order to continue paying for our portion of the Lear Nagle construction that is already underway. There will be one more Resolution, significantly smaller, regarding this project for the next Council meeting.

There is also a similar Resolution to approve the payment of \$4,902.29 to the Walter H. Drane Company.

Council should have received the June 30th financial report. That concludes my report. Thank you.

E. Other Reports:

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

COUNCIL COMMITTEE REPORT(S): None.

NEW BUSINESS:

Clerk of Council Smith:

Planning Commission action(s) taken at the July 12, 2016 meeting:

APPLICANT: First Congregational United Church of Christ, 36363 Center Ridge
OWNER: Same
REQUEST: Approval to add parking to an existing church parking lot.
LOCATION: 36363 Center Ridge Road in a B-3 District; Parcel no. 07-00-028-103-160
PC ACTION: **Approved by a vote of 5-0.**
(Council action required)

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

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 5 No – 0

President Corcoran: Next.

Clerk of Council Smith:

APPLICANT: Kevin See, Scannell Properties #227, LLC, 800 E. 9th Street, #175,
Indianapolis, IN 46240
OWNER: Same
REQUEST: Final plat approval and dedication of Performance Lane.
LOCATION: 38889 Center Ridge Road in an I-2 District; Parcel nos. 07-00-046-108-061 and a portion of 07-00-046-108-017.
PC ACTION: **Approved by a vote of 5-0.**
(Council action required)

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

President Corcoran: Are there any comments or questions? All those in favor say yes. Those opposed say no.
Yes – 5 No – 0

President Corcoran: Next.

Clerk of Council Smith:

APPLICANT: Don Mould, Mould Development, LLC, 9449 Island Road
OWNER: Don Mould, Mould Development, LLC, 9449 Island Road and Walter Martens & Sons Funeral Home, 9811 Denison Avenue, Cleveland, OH 44102
REQUEST: Approval to rezone parcels from R-1 Residence zoning district to B-3 Highway Commercial zoning.
LOCATION: Northwest corner parcel on Bagley and Lorain Road and the parcel

immediately south of the northwest corner on Bagley and Lorain Road;
Parcel nos. 07-00-011-103-084 and -085.

PC ACTION: **Recommended that City Council adopt T 80-2016 by a vote of 5-0.**
(Council action required)

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

President Corcoran: We need a roll call on that.

Clerk of Council Smith: The motion carried.

Yes – 4 No – 0 Abstain – 1 (Corcoran)

President Corcoran: Just a question, isn't that the southwest corner, not the northwest corner. Okay, so in both cases, it is the southwest corner.

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 – 5 No – 0

President Corcoran: Moving on to first readings, we have T 88.

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Smith:

T 88-2016 AN ORDINANCE ADOPTING AND APPROVING THE BUDGET OF THE
CITY OF NORTH RIDGEVILLE, OHIO FOR THE FISCAL YEAR
BEGINNING JANUARY 1, 2017 IN THE FORMAT PRESCRIBED BY THE
LORAIN COUNTY AUDITOR AND SUBMITTING SAME
TO THE LORAIN COUNTY AUDITOR.

(Introduced by Mayor Gillock)

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

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

Yes – 5 No – 0

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

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 88 in order to meet the July 20th County deadline.

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

Yes – 5 No – 0

President Corcoran: On the adoption now with the emergency clause, any comments or questions?

Councilman Boose: Mr. President? Just want to make a couple of comments – first I want to thank Auditor Smith for his thorough description of what this tax budget is. In my own opinion, it is really not a budget. It lists the anticipated tax revenues and anticipated expenditures based on several different types of assumptions – one being actual expenditures in 2015 in some cases and in some cases anticipated 2016. What it does not do-it does not include things such as capital expenditures, it does not include things in the budget that are not paid; for example – from the General Fund, maybe some special funds. That is one of the reasons why the General Fund shows a negative balance in this tax budget. Though it is very useful to be used as a tool for City Council and the Administration in accounting in identifying ahead of time some areas that will need our attention as actually right now versus not waiting for the appropriation process to begin in 2017. He listed those areas within the budget that need attention and so again, I had a conversation with him earlier today and I want to thank him for his thorough description of that. Again, it is something that is necessary and kind of requires it. I will certainly be voting to accept this but I wanted to make that comment because you really cannot look at this as a budget like we do every spring when we do the final budget for the City.

President Corcoran: Thank you Mr. Boose. Anybody else? Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5381-2016.**

Yes – 5 No – 0

President Corcoran: T 89.

Clerk of Council Smith:

T 89-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND THE OHIO DEVELOPMENT SERVICES AGENCY TO OBTAIN GRANTS FOR PARTIAL FUNDING OF THE CONSTRUCTION OF PERFORMANCE LANE.

(Introduced by Mayor Gillock)

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

President Corcoran: Are there any comments or questions?

Mayor Gillock: I would like to get this passed this evening. We don't necessarily need the emergency clause. As we progress with working with Riddell and the companies that they are working with, we are going to use tax increment financing to construct several public improvements down there – one of which is the main road going into it which will be called Performance Lane. The cost of that road is approximately \$1.7 million. We have obtained grants for \$728,000. There are two grants – one from JobsOhio for \$478,000, the other from the Ohio Department of Transportation for economic development for \$250,000. This Ordinance accepts those grants. That is what this is for, accepting that \$728,000. The remainder of the cost of the road will be paid by the developer. We are still working on that agreement which you will have before you at the next meeting. Originally, we were going to have it at this meeting, but we don't have the engineering done yet. We can't do anything until we get the engineering anyway. That is why we don't need the emergency on this, but I would like to get it passed this evening to accept those grants. Thank you.

President Corcoran: Thank you Mayor.

Councilman Boose: If I could ask, since we don't have an agreement with Riddell, actually, the developer, and Ordinance references the agreement for the grant offers, the grant agreements, which reference that we are going to be paying the difference that these grants are just a portion of the overall cost in the grant for the ODOT jobs in commerce Ed program funds indicates that the total project is actually \$956,000 because that's how much is able to be eligible, the eligible cost. The other is \$1.7. The City is on the hook for the rest and without that agreement; the City is on the hook...

Mayor Gillock: That is incorrect. We won't do anything and we are not on the hook for anything. We are going to front the \$728,000 because it is guaranteed by the grants and won't do anything else until the agreement is in place that the developer will pay all other costs. We were going to set it with a dollar amount, but we get change orders so it is open ended so they will pay all other costs not covered by the grant.

Councilman Boose: But that agreement is not set yet.

Mayor Gillock: We aren't going to do anything until it is set.

President Corcoran: We are not obligated to move forward.

Mayor Gillock: We aren't obligated to move forward. We can't do it until we get the engineering.

Law Director Crites: If I can add a little – this piece of legislation in front of you one might argue if it was even necessary but we like to do it for the state auditor if anything. These grants obligate the City to do nothing. All these grants do is say you City, if you build a road that

happens to be connected to economic development and you spend the money for it, once we give you these grants, you can send us the bills that you paid and we will reimburse you. There is no condition precedent created for the need of that contract with Scannell for the funding of the road because even if Scannell went up in smoke and disappeared and ran off into the woods and the Mayor had signed these grant agreements and sent them back, we just wouldn't build a road and nothing would happen. There is no problem, in summary, in passing this tonight and allowing the Mayor...I was going to ask you Mayor, did they give you any deadline, either state agency as to when they want your signature back because they have been so kind to offer these state funds for us?

Mayor Gillock: I would have to check and see and look at the agreements again. Usually they want them in thirty days.

Law Director Crites: Shouldn't we pass this with the emergency because we don't want them to give the money to someone else.

Mayor Gillock: All the Ordinance says is there are several whereas clauses which just state the facts that lead up to the Ordinance. Section 1 says we are authorized to enter into the grant agreements. Funds obtained for the grant shall be applied to the appropriate funds. That is really all it says that we are going to accept these grants and use them as indicated. I don't know as far as the time requirements – I don't have the grants or they are not attached, are they?

Councilman Boose: Mr. President? I am just reading from the grant agreement. It states in item 1.3, first off it said the agreements made between the State of Ohio and the City of North Ridgeville, that the City will construct a new public road.

Mayor Gillock: Where are you reading?

Councilman Boose: The agreement, exhibit a.

Mayor Gillock: We aren't adopting the agreement.

Councilman Boose: It is referenced in the legislation.

Mayor Gillock: Okay, I apologize.

President Corcoran: I'm sorry, were you finished?

Councilman Boose: I understand if the road is not built, we don't pay anything. But we are stating it will be by passing this legislation. I am just making the point if it is and somehow we don't get an agreement with the developer that they are going to pay the rest, it wouldn't be the first time that something happened that we paid for something that we didn't anticipate paying for. This is all I am saying.

Mayor Gillock: We won't build the road unless the developer does his part in funding the rest of the project and it becomes moot. We are not obligated to build the road if we don't have that agreement.

Councilman Boose: I am glad that is stated on the record. That is all I needed. Thank you.

Mayor Gillock: We did this in the past – if you remember – we had this same type of agreement on Ruby Road off of Race Road where we actually did spend some money on the engineering and we never built the road and we agreed with them.

Councilwoman Johnson: The first whereas it does say the balance of the road construction costs after application of the state grants shall be paid by the owner and tenant. Just thought I would mention that it is in the Ordinance.

Councilman Boose: Right, they aren't signing it; we are without that agreement. I'm good. We publically stated we are not going to build the road without the developer paying for the rest.

President Corcoran: Right, but there is a missing million dollars and without that million dollars we aren't doing anything. All those in favor say yes. Those opposed say no.

Yes – 5 No – 0

Moved by Mayor Gillock and seconded by Johnson to adopt T 89.

Moved by Mayor Gillock and seconded by Johnson to add the emergency clause to T 89 in order to meet the deadline and receive the grants.

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

Yes – 5 No – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5382-2016.**

Yes – 5 No – 0

President Corcoran: T 90.

Clerk of Council Smith:

T 90-2016 A RESOLUTION OF SUPPORT FOR OHIO PUBLIC WORKS COMMISSION PRIORITIES.

(Introduced by Mayor Gillock)

President Corcoran: T 91.

Clerk of Council Smith:

T 91-2016 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO THE LORAIN COUNTY ENGINEER IN THE AMOUNT OF \$246,920.48.

(Introduced by Mayor Gillock)

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

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

Yes – 5 No – 0

Moved by Butkowski and seconded by Boose to adopt T 91.

Moved by Butkowski and seconded by Boose to add the emergency clause to T 91 in order to pay the commitment within the thirty day requirement.

President Corcoran: If you remember, we were given the heads up at the last meeting that these were coming. These invoices have been outstanding for a while. On the emergency clause, are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 5 No – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1387-2016.**

Yes – 5 No – 0

President Corcoran: T 92.

Clerk of Council Smith:

T 92-2016 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$614,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING PERFORMANCE LANE BETWEEN CERTAIN TERMINI BY GRADING, DRAINING, CURBING, PAVING, CONSTRUCTING SIDEWALKS, SANITARY SEWERS, STORM SEWERS AND OTHER STORM WATER DRAINAGE IMPROVEMENTS AND WATER MAINS AND ACQUIRING AND INSTALLING STREET LIGHTING, TRAFFIC CONTROL SIGNS AND A TRAFFIC CONTROL SIGNAL AT ITS INTERSECTION WITH CENTER RIDGE ROAD AND IMPROVING CENTER RIDGE ROAD AT ITS INTERSECTIONS WITH PERFORMANCE LANE AND CASE ROAD BY GRADING, DRAINING, WIDENING TO PROVIDE ACCELERATION AND DECELERATION LANES, PAVING, REPLACING CURBS, SIDEWALKS AND STORM WATER DRAINAGE FACILITIES AND UPGRADING THE

TRAFFIC CONTROL SIGNAL AT CASE ROAD, IN EACH CASE
TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK
INCIDENTAL THERETO.

(Introduced by Mayor Gillock)

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

President Corcoran: Are there any comments or questions?

Mayor Gillock: As I mentioned earlier, we received grants for \$728,000 in order to keep the project moving, we have already financed \$114,000 for the engineering out of the Street Levy and the Asphalt Fund. This is the remaining balance, \$614,000 that we will need to finance our part of the project which will be totally reimbursed by the grant. We have to have the money, spend it, and then we are reimbursed. So that is what this is for.

President Corcoran: And that fact that we don't have the agreement worked out, you are comfortable moving ahead with this part because it is really just a placeholder for when everything else falls into line?

Mayor Gillock: Yes. If we don't spend it, then we repay it to the bank and we don't take the grant.

President Corcoran: Yes Mr. Boose?

Councilman Boose: We wait to purchase the bond, the BAN's, until we get the agreement?

Mayor Gillock: We are probably not going to issue bonds. We will probably just issue BAN's but we will basically borrow the money locally, do the project, submit the invoices to ODOT and JobsOhio and pay them off.

Councilman Boose: But we won't do that unless we get the agreement from the developer, correct?

Mayor Gillock: Absolutely. As I sent you an email last week, we aren't going to do anything until the agreement is signed and all the Ordinances are in place. We just can't. We can't begin the road anyway until we get the engineering. Before we get the engineering, we will have the agreements in place so we can go to bid sometime in mid-August.

Councilman Boose: And again, understanding that the agreement is still to be finalized; the agreement that I read today indicates that the developer will pay all costs which includes any interest that the City would incur towards this, correct?

Law Director Crites: It is part of what we are still discussing. We want that defined in the agreement. I wanted to mention as well, an operative part of the agreement is we don't commence construction. It is going to take more than an execution of an agreement. We won't commence construction until we have their \$1 million in our treasury so we are well protected.

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

Yes – 5 No – 0

Moved by Mayor Gillock and seconded by Johnson to adopt T 92.

Moved by Mayor Gillock and seconded by Johnson to add the emergency clause to T 92 for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this ordinance is required to be immediately effective in order to issue and sell the Notes, which is necessary to enable the City to timely enter into and carry out its obligations under contracts for the improvements described in Section 1, and thereby to permit the timely completion of those improvements during the current construction season.

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

Yes – 5 No – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5383-2016.**

Yes – 5 No – 0

President Corcoran: T 93.

Clerk of Council Smith:

T 93-2016 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO THE
WALTER H. DRANE COMPANY IN THE AMOUNT OF \$4,902.29.

(Introduced by Mayor Gillock)

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

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

Yes – 5 No – 0

Moved by President Corcoran and seconded by Butkowski to adopt T 93.

Moved by President Corcoran and seconded by Butkowski to add the emergency clause to T 93 in order to pay the invoice within thirty days.

President Corcoran: You saw the email exchange that the purchase order took a little bit longer to be approved from the date of the invoice. This falls under our oops efforts where work was performed before purchase orders were granted. The work was done and it is something we do every year where we update our books for the laws that are on the books for North Ridgeville. That is the reason for the emergency clause.

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

Yes – 5 No – 0

Councilman Boose: Mr. President is this expenditure tied to T 85 or is T 85 something different by the same company.

President Corcoran: It is actually the exact same thing. That is the company that does our work.

Councilman Boose: I understand it is the same company that does our work, but is it the same expenditure because we have yet to pass T 85 that is in second readings.

President Corcoran: If we do both of them at the same time we can have that work out, correct?

Law Director Crites: At the same meeting.

Councilman Boose: Thank you. I just wanted to make sure.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1388-2016.**

Yes – 5 No – 0

President Corcoran: That is the end of first readings. Moving on to second readings, we have T 85.

SECOND READINGS:

Clerk of Council Smith:

T 85-2016 AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AND RESOLUTIONS AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO APPROVE, ADOPT, ENACT AND PUBLISH NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

(Introduced by President Corcoran; First reading 07/05/2016)

Moved by Boose and seconded by Johnson to dispense with the third reading.

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

Yes – 5 No – 0

Moved by Boose and seconded by Johnson to adopt T 85.

Moved by Boose and seconded by Johnson to add the emergency clause to T 85 due to the timeliness of the work that needs to be paid.

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

Yes – 5 No – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5384-2016.**

Yes – 5 No – 0

President Corcoran: That is the end of second readings. Moving on to third readings, we have T 65 Amended.

THIRD READINGS:

Clerk of Council Smith:

T 65-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 1224.02, *PLATS AND*
Amended *DATA FOR FINAL APPROVAL OF SUBDIVISION PLATS*, BY UPDATING
ANTIQUATED REQUIREMENTS WITH PLAT DRAWING SUBMISSIONS.

(Introduced by Councilman Keenan; First reading 05/16/2016; Referred to Building and Lands on 05/16/2016; Building and Lands on 06/06/2016; Report accepted on 06/20/2016; Second reading 07/05/2016; Amended by substitution on the floor 07/05/2016)

Moved by President Corcoran and seconded by Boose to adopt T 65 Amended.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5385-2016.**

Yes – 5 No – 0

President Corcoran: T 66.

Clerk of Council Smith:

T 66-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 1224.05, *APPROVAL PROCEDURE FOR SUBDIVISIONS INVOLVING MORE THAN FIVE LOTS*, BY UPDATING THIS SECTION TO BE CONSISTENT WITH OTHER SECTIONS REQUIRING COPIES FOR FILING WITH PLANNING COMMISSION.

(Introduced by Councilman Keenan; First reading 05/16/2016; Referred to Building and Lands on 05/16/2016; Building and Lands on 06/06/2016; Report accepted on 06/20/2016; Second reading 07/05/2016)

Moved by Butkowski and seconded by Boose to adopt T 66.

President Corcoran: Are there any comments or questions?

Councilman Boose: Mr. President, just a note of thanks and recognition to our former Councilman Keenan and the Planning Commission and the Building Department in working through the previous Ordinance, this Ordinance and the next several to help clean up our books that were on the record currently to make things more consistent. Just wanted to give that recognition. Thank you.

President Corcoran: Thank you. Clerk, please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5386-2016.**

Yes – 5 No – 0

President Corcoran: T 67.

Clerk of Council Smith:

T 67-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 1228.01, *DUTIES OF CITY ENGINEER*, BY UPDATING ANTIQUATED REQUIREMENTS WITH CONSTRUCTION DRAWING SUBMISSIONS.

(Introduced by Councilman Keenan; First reading 05/16/2016; Referred to Building and Lands on 05/16/2016; Building and Lands on 06/06/2016; Report accepted on 06/20/2016; Second reading 07/05/2016)

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

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5387-2016.**

Yes – 5 No – 0

President Corcoran: T 68.

Clerk of Council Smith:

T 68-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 1246.03, *PROCEDURE*, BY UPDATING THE SECTION TO BE CONSISTENT WITH REQUIRED COPIES FOR SUBMISSION TO PLANNING COMMISSION.

(Introduced by Councilman Keenan; First reading 05/16/2016; Referred to Building and Lands on 05/16/2016; Building and Lands on 06/06/2016; Report accepted on 06/20/2016; Second reading 07/05/2016)

Moved by President Corcoran and seconded by Butkowski to amend T 68 by substitution.

President Corcoran: If you will notice, Section 2 in 1246.03(2) was changed to just be specific as to what it was asking for rather than referring you to another code section.

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

Yes – 5 No – 0

Moved by Butkowski and seconded by Boose to adopt T 68 Amended.

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5388-2016.**

Yes – 5 No – 0

President Corcoran: T 69.

Clerk of Council Smith:

T 69-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 1282.04, *PRELIMINARY DEVELOPMENT PLAN REQUIRED; CONTENTS*, BY UPDATING THE SECTION TO BE CONSISTENT WITH REQUIRED COPIES FOR SUBMISSION TO PLANNING COMMISSION.

(Introduced by Councilman Keenan; First reading 05/16/2016; Referred to Building and Lands on 05/16/2016; Building and Lands on 06/06/2016; Report accepted on 06/20/2016; Second reading 07/05/2016)

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

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

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5389-2016.**

Yes – 5 No – 0

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; First reading 06/20/2016; Second reading 07/05/2016)

Moved by President Corcoran and seconded by Boose to postpone T 82 for a vote to the September 19th City Council meeting.

President Corcoran: This will give them time to work on what they need to do before we pass this for your information. Are there any comments or questions? Clerk, please call the roll.

Yes – 5

No – 0

President Corcoran: That has been postponed.

MEETING ANNOUNCEMENTS:

President Corcoran: Our next regular Council meeting will be held Monday, August 1, 2016 at 7:30 p.m. in Council Chambers.

LOBBY (Q&A - REGARDING ANY CITY BUSINESS): This is the second lobby session that is open to the public to bring up items of concern that are going on in the City. If you would like to ask a question, make a comment; please step up to the podium and state your name and address for the record. You will be given three minutes to speak. Is there anybody that would like to address Council?

Brad Baker, 37801 Sugar Ridge Rd.: thanked the Council and Administration for the work in moving the City forward. He stated his concerns are the rerouting of trucks down Sugar Ridge Road to Race which now seems to be a truck route. He touched on the issue of noise, safety and decrease in property value. He further stated the truck traffic goes against City Ordinance.

Councilman Boose: Mr. President, would someone from the Administration like to respond to that?

President Corcoran: I'm sure that they could. I'd like to know where on Sugar Ridge we are talking about.

William Klostermeyer, 37720 Sugar Ridge Rd.: stated it is near Race Road. Mr. Klostermeyer asked for the high volume of truck traffic to be stopped. He also noted the various types of trucks along with the business names that come through his neighborhood.

President Corcoran: Mr. Klostermeyer, you will have to take a break for a second because your three minutes is up.

Moved by Boose and seconded by Johnson to allow up to an additional three minutes for Mr. Klostermeyer.

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

Yes – 5 No – 0

President Corcoran: Please continue.

Mr. Klostermeyer stated codified ordinance section 440.17 is being violated. He also suggested providing an alternate route for the trucks.

Mayor Gillock: Mr. President, let me make a comment here and maybe I can save a lot of people from coming up and basically letting us know – we know you are all dissatisfied with what is there. We get it. At the request of I believe it is Beckett Air, last spring, they were having trouble with their semis and the railroad tracks and other considerations and we discussed with them and we allowed them to proceed south on Race and east on Sugar Ridge to 83. We made that agreement. It made sense at the time. Since then, there has been a huge impact from the rock crushing operation and to some extent, the concrete operation that was not anticipated. I think we could take another look at this and see where we are at. Maybe we put it back. We can't open it to Beckett Parkway to Taylor Woods. There was an agreement made years ago when Beckett paid for the new Bender Road that it would be vacated. He owns that property. We do have a Master Plan to extend Beckett Parkway east along the railroad track and then south to go down past the baseball complex to get out to I-480 which would be the best situation, but obviously, that is a lot of money. That is what we would like to do. We will take another look at this and have some discussions with the Beckett's. It was never our intention really to open it up to the rock crushing and the concrete trucks, but I guess once you make it a truck route if it is one truck, it is all trucks. We will take another look at it. Thank you Mr. President.

President Corcoran: Thank you Mayor.

Councilman Boose: Mr. President? Has any thought been given that Sugar Ridge isn't built for that kind of truck traffic?

Mayor Gillock: All of our streets, by Ordinance, are built to meet state standards and they are all sufficient for truck traffic is the way they are built. They don't always hold up in the long run, but they are built that way. We are having the same issue over on Bender because of construction but we can see that the trucks are having an impact on it. By the way, we are paving Race Road this year from the railroad tracks to Sugar Ridge. It is in pretty bad shape so we are going to address that this year.

Jim Stermole, 37872 Sugar Ridge Rd.: noted that the corner at Race and Sugar Ridge is very dangerous.

Councilman Abens: Mr. President? As far as the section between Race to the North Ridgeville line, the no trucks signs are still up, at least they were two weeks ago.

Safety-Service Director Armbruster: They are.

Councilman Abens: I guess what we need is tighter enforcement and make that a target zone-that would be great.

Mayor Gillock: Here is the issue – trucks are allowed to make deliveries, regardless of what 440.17 says. Section 440.17 says trucks use federal and state routes except they are making deliveries they can use the shortest route from a state route. So if you see a truck out there, you don't know if he is making deliveries or cutting through. We have seen this on Lear Nagle and Island Road and you see it everywhere. We can't stop every truck and check his manifest to see if he is making a delivery or not. I'm glad to hear Mr. Stermole says that the Police have occasionally used his driveway to watch that. We will mention that to the Chief again. We do watch for trucks on the side streets, but as I said, they are allowed to make deliveries. If you see a moving van, you don't know if he is cutting through or going to someone's house; or if a semi-truck is going to Beckett depending on where he is coming from, he might be making a delivery. It is something we fight all the time.

Councilman Abens: Mr. Mayor, there again, of course Taylor enters into Route 57, there really is no reason for them to be using Sugar Ridge between the line to Race Road. They should be using Taylor.

Mayor Gillock: You can't get to Beckett from Taylor.

Councilman Abens: I'm sorry, you are talking about Race Road, excuse me.

Mayor Gillock: 57 is a state route.

Councilman Boose: Mr. President – can I just make a comment that whoever comes up to speak, welcome all of you. Please fill out a form and leave it at the podium so that if we need to contact you later, we can.

President Corcoran: Thank you Mr. Boose. Please sir, go ahead.

Albert Krage, 37903 Sugar Ridge Rd.: stated he rides a bicycle to work every day to Maddock. He further stated there are many trucks cutting through on Sugar Ridge Road – they are not making deliveries. Mr. Krage asked them to do something about the truck traffic.

Sue Wilhelmy, 37939 Sugar Ridge Rd.: stated she was confused as to how an agreement is made verbally that goes against an Ordinance.

Kathy Zaleski, 37814 Sugar Ridge Rd.: stated the trucks that come through are wider than a single lane which is damaging her yard. She further asked who will fix her yard.

Councilman Boose: Mr. President, can we ask the Administration to who should the resident seek for repairs to her yard?

President Corcoran: Just to clarify, the issues that you are bringing up are mainly administrative issues. Council does not have a roll in changing the agreements or setting road limits on all of that, but yes, I understand. They have already said they are going to talk to people unless you wanted to add something else – that is the plan right now.

Kim Stermole, 37872 Sugar Ridge Rd.: stated she has called the Police Department many times regarding the tremendous amount of truck traffic in her residential area.

Neil Solinger, 7927 Race Rd.: stated it was the Mayor's job, through the Charter, to uphold current laws and asked how he could go into a verbal agreement which is prohibited by Ordinance.

President Corcoran: Is there anybody else? Thank you all for coming this evening.

ADJOURNMENT:

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

Approval of minutes on August 1, 2016:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL