

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING AUGUST 15, 2016**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Monday, August 15, 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, Bob Chapek, President Pro-Tem Bernadine Butkowski, Roseanne Johnson, Gregg Westover and President Kevin Corcoran.

Also present was Mayor G. David Gillock, Safety-Service Director Jeff Armbruster, Assistant Law Director Toni Morgan, Assistant City Engineer Cathy Becker, Deputy Auditor Teresa Machovina and Clerk of Council George Smith.

MINUTES - Corrections (if any) and approval:

President Corcoran: You have before you the City Council meeting minutes of August 1, 2016. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note we received the Board of Zoning and Building Appeals meeting minutes of July 28, 2016 and the Planning Commission meeting minutes of August 9, 2016.

LOBBY (REGARDING AGENDA ITEMS ONLY):

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

President Corcoran: The first lobby session being dedicated to the items that are on the agenda for this evening and second for items of general concern toward the end of the meeting. All those in favor say yes. Those opposed say no.

Yes – 7 No – 0

President Corcoran: The first lobby session of the evening is open. This is the session to speak about items that are on the agenda for this evening. If you would like to address any of those items, 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 address agenda items this evening? Ok. Seeing none, we will move on to Administrator's reports; Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President. We have two ordinances we need adopted this evening with the emergency. The first is T 90. I am requesting that City Council approve under third readings a resolution of support for Ohio Public Works Commissions Priorities. This resolution is needed for the application that is due the beginning of September. We worked on this project all year and it is ready to go, but we do have to make this submission by September 1 and then we get our funding next July. This is for the roundabout project.

We also need T 94 passed. This is the agreement with Scannell Development that allows us to accept the numbers that are in the ordinance. We need to reach this agreement to accept that money. R.E. Warner will have the engineering to us on August 19 and we anticipate going out for bids on the 23rd. When this agreement is signed, Scannell will be required to get their required contribution to us before Labor Day and then we'll come back at the next Council meeting on September 6 and approve the ordinance allowing us to enter into a contract with a construction firm to build the road. There are moving parts here and this one needs to get passed in order to accept that money to build the road.

There is a lot going on in the City tomorrow. Three things here: The Office of Older Adults will be holding an open house at the Senior Center from 10:00 A.M. to 2:00 P.M. Come and see all that the Senior Center has to offer in activities, programs, trips, health screening, fitness classes, entertainment and socialization. Refreshments will be served. There is more information on the City's website. Also, tomorrow our Splash Pad will be closed for preventive maintenance. The Splash Pad will not be open tomorrow. Tomorrow evening is the Heart and Sole Healthy Strides with Pastor Tom Joyce from Fields Methodist Church being the guest speaker. On Tuesday, August 30th will be our last outdoor walk for the year and the speaker will be our own President Kevin Corcoran. Healthy Strides combines a 30 minute walk preceded by a brief informative talk by Health Professionals, City Officials and others such as Pastor Tom. Meet at Pavilion Number One at South Central Park at 6:00 P.M. and in the event of inclement weather the walks will be cancelled. All members of the community are welcome to attend

I would like to extend an invitation to join me on Wednesday, August 24 from 8:00 A.M. to 9:00 A.M. for coffee and conversation. A great way to get your questions answered and find out what is going on. As a reminder, in observation of the Labor Day Holiday, City Hall will be closed Monday, September 5. We won't have another meeting until September 6 and this is why I am giving you these reminders. Allied Waste will also observe the holiday on Monday, which means trash pickup will be delayed by one day. That is also the scheduled bulk pickup week. Keep that in mind.

Finally, I would just like to mention in remembrance, a couple of long time North Ridgeville residents who passed away in the last week or two. Jim Hershey who many of you know was a retired Fireman and trainer and helper with the High School Football team and Don Pitts who tragically died in an accident. He was a long community member and Don's nephew Mike Pitts is a retired Fireman from North Ridgeville and we would just like to remember both of them. That concludes my report.

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

B. Safety-Service Director: The EPA required the City to do a pre-demolition asbestos survey on the Hebebrand property that we purchased, which is the property located next to the old Fiesta Jalapeno. It was found that the structure contained asbestos which will result in additional cost. The finance committee has approved these expenditures in all aspects. The contractor that tore down all the houses for ODOT on Center Ridge Road will be on site August 22 to begin performing the abatement. This will take approximately two weeks. The idea that everything goes right the structure will be demolished on September 6 and I will keep you posted on any additional updates. There shouldn't be but that home will be demolished as well as the garage and should be down that first week in September. The Service Garage is actually going to come over and take down the brand new structure which is in the back and physically move it over to the Service Garage and will be used for storage. It will not be demolished. This is the new structure that is there now but it replaced the one that burned down three or four years ago. I am happy to report that there were 3.5 inches of rainfall since last Tuesday. There were little or no issues of flooding. There were some streets that had water due to people who didn't rake out their storm drains in the street. There were a couple of issues where laterals were blocked. The lateral is the homeowner's responsibility and not the City of North Ridgeville. The homeowner maintains the sewer from the street into the home. We did respond and helped the homeowner as best as we could to relieve and give direction. Earlier this afternoon I presented the signage that is planned to be put up this week on Sugar Ridge Road. The sign that says trucks with an arrow will be placed at the exit of the construction area where they bring in the asphalt and concrete and any other construction materials. The only way the trucks can leave or enter that site is really to come down Center Ridge. They have to go right and it is covered by ordinance section number 440.17. It actually tells the trucks that they have to go to the closest state route. The no truck sign will be placed in two different locations. The through trucks prohibited signs will also be placed. For Maddock, Sugar Ridge and Race will be permitted to deliver to those factories down there. It does not include the gravel or demolition trucks. Those are considered through trucks. Each sign will be placed on Sugar Ridge as you turn and the no truck sign will be on Maddock as you are entering off Center Ridge that will say for local deliveries only or Maddock deliveries only as well as Race Road trucks. The Police Department was well involved as was the Police Chief. We spent a lot of time working through this and we are hopeful that we recognize that our attempt to do it without signage has not worked. There still continues to be truck drivers, especially from the construction area, that will just not honor any request in any way. With this signage going up, the plan is to ticket those drivers and you will see an increased ticketing of trucks within the City of North Ridgeville based on this. Hopefully this works and we continue to grow our industry as well as maintain the neighborhood atmosphere that we have as best as we can. That completes my report.

President Corcoran: Thank you Mr. Armbruster. Engineer.

C. Engineer: Thank you Mr. President. I wanted to talk about septic system maintenance. Inadequate or failing septic systems can contribute to the contamination of ground water streams and other bodies of water. Waste water from septic systems may include many types of

contaminates such as nitrates, harmful bacteria and viruses. If you own a septic system, it is important that it be properly maintained to extend its life and prevent contamination of ground and surface water. It is recommended that you have your tank cleaned or pumped out every three to five years or more often if necessary. If you have an aeration system, the mechanical equipment needs to be maintained and operating properly. Also, don't put household chemicals into your septic system because they kill the good bacteria that help the septic system work. That concludes my report.

President Corcoran: Thank you. Auditor.

D. Deputy Auditor: I just have one thing for Council this evening. That is to anticipate the amended appropriations for the next meeting. The appropriations will be required to pass T 97 that will have a reading this evening which also has to do with Performance Lane Road down on the Scannell Property.

President Corcoran: Thank you, Ms. Machovina.

E. Other Reports:

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

COUNCIL COMMITTEE REPORT(S): None.

President Corcoran: We have two items of correspondence, Mr. Clerk.

CORRESPONDENCE:

Clerk of Council Smith:

1. A memo dated August 5, 2016 from Engineer Scott Wangler notifying City Council of the completion of Stonegate at Waterbury, Phase 2.
2. A memo dated August 5, 2016 from Engineer Scott Wangler notifying City Council of the completion of Stonegate at Waterbury, Phase 1.

President Corcoran: Moving on to new business.

OLD BUSINESS: None.

NEW BUSINESS:

President Corcoran: At this point, we have had a new Councilman join us and because of his experience in the Safety realm, I thought it was prudent to make an appointment for Gregg as the Chairman of the Safety Committee and take over the other two committees that Mr. Keenan had, which was Administrative and Utilities Committee. Are there any questions or concerns about that?

Councilman Westover: No, Mr. President. Thank you very much.

President Corcoran: I know it says Council action required, but when I appoint Council people to Committees, I don't usually have to get approval. So, because we are displacing the Chairman of the Safety Committee, which is Bernadine Butkowski, we are going to move her over to be the Chairman of the Building and Lands Committee. Moving on to the Planning Commission's actions, Mr. Clerk

Planning Commission action(s) taken at the August 9, 2016 meeting:

Clerk of Council Smith:

APPLICANT: Valore Properties, Inc., Valore Builders, Inc. 23550 Center Ridge Road,
Westlake, OH 44145

OWNER: Same

REQUEST: Extension on final plat approval granted by Planning Commission on April 9,
2013 of Hampton Place, Phase three.

LOCATION: West of Avon Belden Road and east of Stoney Ridge Road in an R-1 District;
Parcel nos. 07-00-029-000-152, 07-00-029-000-004 and 07-00-029-000-195

PC ACTION: **Approved by a vote of five yes and zero no.**

Moved by Butkowski and seconded by Boose to accept Planning Commission action.

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

Yes – 7

No – 0

APPLICANT: Joe Molnar, Bob Schmitt Homes, Inc., 9095 Gatestone Road

OWNER: Same

REQUEST: Final plat approval for Ridgefield Subdivision No. 13 to include 13 detached
cluster lots.

LOCATION: Hummingbird Lane Extension in an R-1 District; Parcel no. (Part of) 07-00-
001-000-343

PC ACTION: **Approved by a vote of five yes and zero no.**

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

President Pro-Tem Butkowski: Clerk, please call the roll.

Yes – 6

No – 0

Abstain – 1 (Corcoran)

Clerk of Council Smith: Motion carried with one abstention.

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 98.

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Smith:

T 98-2016 AN ORDINANCE ACCEPTING CERTAIN SREETS/IMPROVEMENTS
LOCATED IN STONEGATE AT WATERBURY PLANNED COMMUNITY
DEVELOPMENT, PHASE 1, AND DEDICATING THEM FOR PUBLIC
PURPOSES.

(Introduced by Mayor Gillock)

President Corcoran: T 99.

Clerk of Council Smith:

T 99-2016 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS
LOCATED IN STONEGATE AT WATERBURY PLANNED COMMUNITY
DEVELOPMENT, PHASE 2, AND DEDICATING THEM FOR PUBLIC
PURPOSES.

(Introduced by Mayor Gillock)

President Corcoran: That is the end of first readings. First up under second readings we have T 94.

SECOND READINGS:

Clerk of Council Smith:

T 94-2016 AN ORDINANCE AUTHORIZING A ROAD CONSTRUCTION
Amended AGREEMENT NECESSARY FOR THE CONSTRUCTION OF PUBLIC
ROAD IMPROVEMENTS.

(Introduced by Mayor Gillock; First reading 08/01/2016)

Moved by Mayor Gillock and seconded by Johnson to amend T 94 by substitution.

Mayor Gillock: You should have the new addition in your packet. I'll explain what the changes were.

President Corcoran: Any questions on the substitution itself.

Mayor Gillock: The actual ordinance doesn't change. The changes are in the Exhibit A and mainly on page four. As we proceeded with engineering it was determined that \$135,000 in improvements to an existing storm sewer need to be made and so the total estimated preliminary cost changed from \$1,750,000 to \$1,885,000. You will see that in the third line on page four and the other change is four lines from the bottom where the developer is then required to deposit with the City approximately \$1,157,000. Those numbers are accurate now. R.E. Warner is

completing the engineering and it is possible that they might have additional changes but we think this should capture it. We need to adopt it this evening and so if there are any additional changes, we would amend at a further meeting. By adopting this, it gives us the ability to accept that contribution from the developer before Labor Day so we can get authorization to go out for bids on the 7th.

President Corcoran: Any comments or questions? On the motion to amend by substitution; all those in favor say yes. All those opposed say no.

Yes – 7 No – 0

Moved by Mayor Gillock and seconded by Butkowski to dispense with the third reading on the amended T 94.

President Corcoran: Any questions or comments on suspending the third reading for T 94 as amended? 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 94.

Moved by Mayor Gillock and seconded by Johnson to add the emergency to T 94 due to the deadlines previously described.

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

Yes – 7 No – 0

President Corcoran: It was moved by the Mayor and seconded by Johnson to adopt T 94 now with the emergency clause. Any questions?

Councilman Boose: Yes, I posed some questions to the Law Director a couple of weeks ago and still want some clarification on a couple of things. One, it talks in the amended Exhibit A in section two it says the company and then in parentheses it says has provided. Has the company provided us with the necessary real property or will they provide it.

Mayor Gillock: What they are talking about there is that we need to get the property split. The parcel numbers need to be assigned and then they will provide us with the property where we are going to build the road. We can't build the road until they give us the property.

Councilman Boose: So it should be changed to say will provide versus has provided since they have not provided.

Mayor Gillock: That is okay. It says the city will accept such real property interest which acceptance shall be evidence by filing the plat. Until we file a plat it is kind of a moot issue anyway. That is fine if you want to add that the company has or will provide the city with

necessary real property interest to construct a public road improvement pursuant to the terms of the plat which we have executed. I don't know if they have delivered the plat yet or not.

Councilman Boose: I am just asking. I am not the attorney.

Mayor Gillock: Just know that we had high powered lawyers on both sides draft this. I think we have the plat and so, if that is the case, then we have accepted the property.

President Corcoran: If the plat has been filed, then the property is ours.

Mayor Gillock: Only when we sign this agreement.

Assistant Law Director Morgan: Does that answer Mr. Boose's question?

Councilman Boose: Again, you're the attorney. I am just asking for clarification.

Assistant Law Director Morgan: I have to demur that I haven't actually worked on this agreement, but the wording looks fine to me because until the plat gets recorded, nothing is official.

Councilman Boose: Then the final thing is in the Exhibit it talks of not only the roadway but it also talks about other additional public improvements. One of the things that we don't have here and I will remind you that I spoke about this the last time is that we don't have the TIF agreement done yet and we are passing this saying that we will pass a TIF agreement, though we haven't seen the TIF agreement. I just want to make sure that we all understand that. Then in the proposed TIF agreement that I read it kind of defines the additional public improvements and within that definition it talks about land acquisition, demolition, environmental remediation, storm water management and utility improvements. I guess my question is, is how can some of those if not all of those be considered public improvements if they are located on the property of the facility that is private. I understand we are using the TIF to work with the road that we are building that which we are talking about but I'm not quite sure that the TIF was built to pay for some of those nonpublic things.

Mayor Gillock: The TIF's are and I will recommend that you talk with Pam Hanover from Squires, Sanders who is our consultant. Within the definition of the Ohio Revised Code, all of those elements can be included in a TIF. We have not specifically pinned down for the TIF exactly what will go into it, but we know that the road and the sidewalks will go in, the reparation of the storm sewer that is there, the traffic lights at the intersection of Performance Lane and Center Ridge Road, renovation of the traffic lights at Case and Center Ridge Road and turning lanes as needed. That is what we know for sure and the costs are included. The others are negotiable but Pam is negotiating those with the other party. The TIF won't actually be done until later. That TIF doesn't really concern us because the TIF is used to repay the developer for costs that he makes and the Lorain County Port Authority will actually issue the bonds to pay him back for whatever is legal and the TIF will be used to pay the debt service on the County's

bond. Whatever they determine goes in there, determines what Scannell gets paid for or doesn't get paid for.

Councilman Boose: The Mayor said it well, when I was talking to the Law Director, he pretty much said the same thing in that it is up to Riddell or to the developer on behalf of Riddell to make sure that the TIF is done because we get our money whether the TIF is there or not. I just bring it to Council's attention so that you are aware that we are being asked to pass legislation that isn't done yet and so when the TIF legislation does become before us, obviously, our attorneys and our counsel will make sure that it is legal and all. I just wanted to bring that up because it can be confusing. At least it was when I was going through this and having the conversation with our Law Director. Thank you.

President Corcoran: Any other questions? All right then, on the motion to adopt with the emergency clause. Clerk, please call the roll.

Yes – 7 No – 0

President Corcoran: On the adoption now with the emergency clause, any comments or questions? Hearing none, Clerk please call the roll.

Clerk of Council Smith: The motion passed unanimously and becomes **Ordinance number 5390-2016**.

Yes – 7 No – 0

President Corcoran: T 95.

Clerk of Council Smith:

T 95-2016 AN ORDINANCE AMENDING N.R.C.O. SECTION 1224.05(B)(5),
DEDICATION OF LAND FOR PUBLIC USE; EASEMENTS; ACCEPTANCE
OF STREETS AND UTILITIES.

(Introduced by Mayor Gillock; First reading 08/01/2016)

President Corcoran: T 97.

Clerk of Council Smith:

T 97-2016 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 CONSTRUCTION OF THE PERFORMANCE LANE
ROADWAY PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED
\$1,750,000.00.

(Introduced by Mayor Gillock; First reading 08/01/2016)

Moved by Mayor Gillock and seconded by Butkowski to amend T 97 by deleting all references to the amount \$1,750,000, which is found in the title and in section one and replacing that with the figure of \$1,885,000.

Mayor Gillock: As I stated earlier this includes the money for the repair of the storm sewer. We won't do any more with this ordinance tonight, but we will want to adopt it with the emergency at the September 6th meeting.

President Corcoran: Any questions? On the amendment, all those in favor say yes. Those opposed say no.

Yes – 7

No – 0

President Corcoran: T 97 has now been amended.

President Corcoran: Moving on to third readings. First up we have T 80.

THIRD READINGS:

Clerk of Council Smith:

T 80-2016 AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, KNOWN AS THE ZONING CODE ORDINANCE, TO REZONE THE FOLLOWING LAND: LOCATED AT BAGLEY ROAD; PERMANENT PARCEL NUMBERS 07-00-011-103-084 OWNED BY MOULD DEVELOPMENT, LLC AND 07-00-011-103-085 OWNED BY WALTER E. MARTENS & SONS FUNERAL HOME, INC.; BOTH PARCELS FROM R-1 RESIDENCE DISTRICT TO B-3 HIGHWAY COMMERCIAL DISTRICT.

(Introduced by petition of Donald Mould 06/06/2016; First reading 06/06/2016; Referred to B&L and PC 06/06/2016; B&L 06/20/2016; PC 07/12/2016; PC report accepted 07/18/2016; Second reading 08/01/2016)

Moved by Johnson and seconded by Butkowski to adopt T 80.

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

Clerk of Council Smith: The motion passed with one abstention and becomes **Ordinance number 5391-2016.**

Yes – 6

No – 0

Abstain, 1 (Corcoran)

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; First reading 07/18/2016; Second reading 08/01/2016)

Moved by Johnson and seconded by Butkowski to adopt T 90.

Moved by Johnson and seconded by Butkowski to add the emergency clause to T 90 due to the deadline for funding.

President Corcoran: On the emergency clause, all those in favor say yes. Those opposed say no.
Yes – 7 No – 0

President Corcoran: It was moved by Johnson and seconded by Butkowski to adopt T 90 now with the emergency clause. Clerk, please call the roll.

Councilman Boose: Mr. President, just a comment. I'm still not sure that this is the best way to handle the traffic at this intersection. It is most prudent to pass the legislation before us to receive the grant monies so that we can have a more practical and cost efficient way to fund a project. Thank you.

President Corcoran: Someone sent me a message through Facebook today talking about Carmel, Indiana. Carmel, Indiana is putting in 32 roundabouts in their community. I know Indiana has a lot and this will be our first. I know that they work based on my travels through Indiana, but I'm interested to see how this works out for us. Clerk, roll call please.

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1389-2016.**

Yes – 7 No – 0

MEETING ANNOUNCEMENTS:

President Corcoran: Due to the holiday, our next regular Council meeting will be held Tuesday, September 6, 2016 at 7:30 p.m. in Council Chambers.

LOBBY (Q&A - REGARDING ANY CITY BUSINESS): This is the second lobby session. 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. Go right ahead.

Dan Phillip of 2016 Highland Blvd, Ashland Ohio introduced himself stating he was running for United States House of Representatives as an Independent in the 7th Congressional District. He stated he was up here for the Corn Festival on Saturday. He had the opportunity to talk to a lot of people including Mayor Gillock and Safety-Service Director Armbruster. He provided a little background of himself.

President Corcoran: Is there anybody else who would like to address Council this evening?

William Klostermeyer of 37720 Sugar Ridge Road: thanked Mayor Gillock and Safety-Service Director Armbruster for getting all the departments involved for the review of the Sugar Ridge, southern Race Road truck situation and for the development of the signage. He addressed ordinance 440.17, which Safety-Service Director Armbruster commented on and stated that he would also add that ordinance does direct the trucks to proceed to those businesses by way of the nearest state or federal highway, which would be Center Ridge Road, which is a half of a mile from these businesses and not via Sugar Ridge and southern Race Road from Route 83. He spoke more regarding the signs Mr. Armbruster spoke of in his report. He stated that the signs are not

acceptable to the neighboring residents as they do not want any truck traffic on Sugar Ridge Road.

Safety-Service Director Armbruster: Sugar Ridge Road from 57 there will be absolutely no trucks. That sign will not be placed there. It says no trucks now and it means no trucks. If they are going to head east on Sugar Ridge, there is a no truck sign there and they won't be allowed on that section all the way down to Race and nor can through trucks come through there and nor are any delivery trucks allowed on that section of Sugar Ridge. The two signs that will be placed for local deliveries only are going to be placed on both sides, the north side and south side of Sugar Ridge on this end. The police department is involved in this process and we are hopeful this will work. This subject is not closed, but we are planning on doing this to allow for the deliveries to the factories that are down there and not allowing the gravel trucks or construction trucks to travel that route. We have attempted to work with the independent truck drivers down there. We have some compliance. Unfortunately, we don't have total compliance and we are hopeful that those trucks understanding the code 440.17 will know that they have to go right and they are not allowed on Sugar Ridge or Race Road coming from the south heading north. That is our intent.

Mayor Gillock: I would just add that Route 83 is a state route and so a lot of those trucks going to places on Sugar Ridge and maybe Maddock, Route 83 is the shortest route and that has to be kept in mind as well as far as the sign goes. It is not a closed issue. We will see how this develops.

President Corcoran: I'm sorry Mr. Klostermeyer; we are going to give this other gentleman a chance to speak. The way the rules work, everyone gets a chance to speak before someone gets a second chance and that is just the way it works.

John Pozzi, 5751 W. Breezeway Drive: stated he has been a resident for 18 years and current owner of On The Go Convenience on Center Ridge Road. He addressed the Mayor and referenced the widening of Center Ridge Road and Lear Nagle and stated that as an owner on Center Ridge Road, they are getting no information on road closures. He explained that he cannot bring fuel trucks into his location based on the closure of Old Lear Nagle Road. They were told it would be closed ten days and today is day 22 and it is still closed. He asked if we have looked at the economic impact all these roadway projects will have on the local businesses. This has affected his business. He asked if the roadway projects could be noticed to those businesses early enough so that they could contact their vendors.

Councilman Boose: First off thank you for bringing this to our attention. Several weeks ago, I gave Safety-Service Director Armbruster a copy of a pamphlet from the City of Cleveland Heights. I am a commercial banker by trade and I provided a seminar for some Lee Road merchants who are going through a massive reconstruction project where they're having a similar issue of not knowing when a certain side of the street will be closed or showing up that day and there is a cement truck right in front of their business. We talked through some things and one of the things the city did and I suggested and Mr. Armbruster indicated that the city

would be working on something, is that I think we should be proactive in how we deal with our businesses as well as our residents. We should be able to provide a number of different forums, whether they be on our website; specifically noted where to go to for updates on a daily, if not two to three times a day basis. There may be some other types of electronic communication through Facebook, Twitter, other types of avenues where if unexpectedly a cement truck shows up in front of the business, you can tweet out that hey, just want you to know for the next two hours, you'll need to park next door and things like that. I think there also should be some sort of communication not only in writing that we can hand you but also that could be updated on our website that gives you some ideas as to when you can work with your vendors to relay the best times that they can come to your store to make deliveries and when a time may be that you don't want them to be there, things of that nature. An idea even, to embrace the construction, to have a no sidewalk sale because my sidewalk is not there. Try to come up with different ideas of how we can help our businesses maintain their business because we have already seen unfortunately some having to leave town because they were too close to the road and they had to be demolished. We haven't even started the Center Ridge Road widening project yet. They have just put some utilities in and we have seen some instances on Lorain Road where there has been disruption of some businesses and service and so, I believe that Mr. Armbruster and the city are going to be working towards that. Hopefully, quickly now because we are seeing the impact that I was not aware of what we have seen already and so I think that is one thing we could try to do and any suggestions that a business out there has as to the types of information or services that they think they could use from the city I think would be well received so that we could be all encompassing. Thank you very much for your comments.

Mayor Gillock: We have two different things here. We have done those things that Mr. Boose has suggesting when working with Terrace Construction. That is a contractor that we have hired. They have daily updates on the website and they have been very responsive when we've had any kind of issues and we have promoted this for years through public meetings. If you would come to our office and let us know, we would be glad to work with you. Your particular issue deals with utilities and we don't regulate utilities. They don't tell us what they are going to do. They don't get our permission. With the closing of the road, we did work with the gas company and we would like to talk with you to see what we could do to alleviate your situation, but most of those situations especially along Center Ridge Road is all utility relocation. They don't need permits and they don't need permission. They'll work with us when we know what is going on, but a lot of times there will be something going on and you know about it before we do. So, the construction, we have some input on especially on Lear Nagle and we will also on Center Ridge Road. They have been very good and very responsive. We have put notices on the website, Tissy puts out notices daily when we find out what is going on, so check our website, check for notifications and if you would we will sit down and see what we can work out.

President Corcoran: Thank you Mayor. I know there are several instances when utility companies, whether it be gas, electric, cable, they just show up and start marking things, putting stakes in the ground, colored paint all over the place. He received a call from a resident saying that there was a green stake in the middle of their yard and they asked why. His response was, I don't know but what you're describing, it is probably a utility easement and they have every

right to do that at any time without any notice. It is just the way utilities work in this state. They are regulated by the PUCO and we don't have a whole lot to say about it at all on the local level. As far as Lear Nagle, if you go to the city's home page, up in the right hand corner, there is a little button you can click and it will take you right to a website where the contractor has been updating what they are going to do each week. At least on Lear Nagle and it sounds like we'll be doing the same thing on Center Ridge, that information will be there and it gets updates as quickly as the contractor does it. That is how I follow the construction on Lear. I go to that webpage and see what the contractor has planned for the week. Then after I see those days go by, I go and check their work and I've been amazed at the work on Lear so far. I didn't realize the concrete was going to be as thick as it is. I noticed the other day, my son and I were driving down it and it looks like it is at least a foot thick and that is great to see as that road should last forever. Nothing lasts forever, but that is pretty darn close at least it looks like it. There is still some work that they can do and I'm sure if you talk to them, they can figure out a way to get gas trucks to your location. The utilities come up with their own plans and they don't always necessarily share them with the city. In this particular case, they are moving the utilities from the right-of-way back into what will be the new right-of-way and not in the middle of the road. They don't have to ask for permission to do that. Even in subdivisions you see that happen all the time. They just show up and start digging and boring under roads and they don't have to tell anybody. It is always a surprise. I have called the Building Department asking if they know why those guys are there and they have no idea. They don't have to tell you.

Councilwoman Johnson: There was a Supervisor that came to all the meetings for Center Ridge and he gave us his phone number. Maybe we can get that shared with this gentleman.

Safety-Service Director Armbruster: John, I will be in touch tomorrow. Fuel trucks are something near and dear to my heart and I certainly understand that. We can get that worked out with Matt from Columbia Gas Company. I was not aware that you were asking the trucks to back out. That is not something that is appropriate in any way whatsoever. I'll be in touch with you tomorrow and work through those issues and give you some other ideas as to how we are communicating, but Councilman Boose is exactly right, we are developing that piece of paper if you want to call it that to hand off to businesses. Certainly, we didn't have any idea how it was impacting you with the delivery of fuel because we haven't had that conversation, but we will tomorrow. Thanks for coming.

President Corcoran: Is there anybody else that would like to bring something up to Council.

Janet Solinger of 7914 Race Road: thanked Council and Administration for hearing them and trying to help them with the truck problem. She is still unhappy about the fact that the city is allow trucks to pass by our residences to make deliveries. She asked why the city is allowing it.

Safety-Service Director Armbruster: Our intent is to do the best we can with the roads we have available today to us and to allow for the common good and quietness of the neighborhood to use the streets the way they should be used and to make the trucks go as they are going to be designed to go under this signage. Our intent is not to force anyone that connects to anything.

Beckett Parkway is a private road. Taylor Woods comes out and goes to Sugar Ridge and you can make a right in a truck and go out that way to 57. You certainly cannot make a left there and go down Sugar Ridge heading east. That signage has not changed. If trucks are going down there from 57 down to Race Road and making a left, they are absolutely illegal. They will continue to be illegal. Hopefully, we are going to work through this and make it work. There are going to be some trucks out there. There are some trucks going into Beckett and will probably be 34,000 pounds. The trucks that are coming out of the gravel pit are probably about 70 to 80,000 pounds. There has been a lot of thought and effort, not only by the Police Chief, but the Administration with regards to this signage and I am hopeful that we can work together to allow for growth in the neighborhoods as well as for the growth of the industry.

Sue Wilhelmy of 37939 Sugar Ridge Rd.: thanked everyone for all the work, but she still has a problem with that sign because to her it states that they still have permission to travel Sugar Ridge Road. Her concern is that with the growth of Beckett, there will be growth in truck traffic and it needs to be stopped now before it gets worse.

Safety-Service Director Armbruster: He stated that he understands and is hearing it loud and clear, but as a Safety-Service Director in helping the economic development of the city, most of the area that is actually south of the railroad tracks is industrial zoned. We have to be very careful in how we treat the neighbors as well as being cognizant of the fact that we may have industrial growth with the industrial zoned land there.

Sue Wilhelmy stated she understood, but there is access to that industrial land from the north. There is no reason why you have to give them access from the south. They can access from the north following and adhering to the ordinance. She believes one special preference is being given to one person in the city and that is not lawful.

Safety-Service Director Armbruster: That is not our intent.

Sue Wilhelmy stated that may not be your intent but that is certainly what it appears like to all of the residents that have delivery trucks passing by their homes. As that business increases that truck traffic increases.

Safety-Service Director Armbruster: We hear you loud and clear.

Neil Solinger of 7927 Race Road: stated that in his opinion, the proposed signs only further solidify that trucks are going to be using Sugar Ridge and Race, which is breaking an existing ordinance. The trucks can deliver to Race Road from Center Ridge which is a state highway, not using the three miles of Sugar Ridge to bypass over 97 homes. He was told that Beckett provides high tax revenue for the city. He stated that 27 businesses left the city for the widening of Center Ridge Road. He asked why wasn't the high tax revenue for the city considered then and why is this an issue now. He stated that it is the Mayor's job to enforce laws; not amend or change them; it is not within his power. He further stated that if legal action is needed to make sure that the law is followed, he is prepared.

Albert Krage of 37903 Sugar Ridge Road: commented that there are trucks sneaking through later in the evening and early in the morning. Estes is one of them and they are located on Center Ridge Road. He watched two trucks today come from Elyria, drive down Sugar Ridge Road to Race Road to Center Ridge Road; not stopping anywhere, just cutting through. He further stated that they do not want trucks going down Sugar Ridge Road. It isn't fair that Beckett is doing what he is doing to everyone else's way of living around here.

Mayor Gillock: I just want to clarify that Mr. Becket has not been involved in this in any way shape or form. Mr. Beckett is Chairman and runs R.W. Beckett which is not part of this discussion. What we are talking about here is Beckett Air and Becket Gas, which are run by two other gentleman as presidents and I just wanted to clarify that. Mr. Beckett is not involved in this and there have been no discussions with him. He is probably not even aware of this discussion.

President Corcoran: Is there anybody else?

Dave Payton, Crystal Springs Campground: stated he spoke with Mr. Boose, Assistant Law Director Toni Morgan in the past. He asked to speak to all of Council after the meeting. He further noted that he spoke with Attorney Robin Matthews of the Ohio Bureau of Motor Vehicles and confirmed to him that no Ohio Form BMV 1173 was filed for any address at Crystal Springs Campground. He spoke with Wooster, Ohio Police Chief Matthew Fisher who filled him in on where those addresses were accessed from Crystal Springs Campground. He concluded by stating he would email all of Council with that information.

President Corcoran: Is there anybody else? That being said, this meeting is adjourned.

ADJOURNMENT:

President Corcoran: This meeting is adjourned. The meeting was adjourned at 8:39 P.M.

Approval of minutes on September 6, 2016:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL