

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING AUGUST 3, 2015**

CALL TO ORDER: 7:30 P.M.

President Pro-Tem Butkowski: Calling to order the Monday, August 3, 2015 regular Council meeting.

INVOCATION:

Led by President Pro-Tem Butkowski.

PLEDGE OF ALLEGIANCE:

Led by President Pro-Tem Butkowski.

ROLL CALL:

Present were Council members Terrence Keenan, Dennis Boose, Robert Olesen, Roseanne Johnson and President Pro-Tem Bernadine Butkowski.

Dr. Ronald Arndt and President Kevin Corcoran were excused.

Also present was Mayor G. David Gillock, Law Director Andrew Crites, City Engineer Scott Wangler, Auditor Chris Costin and Clerk of Council George E. Smith.

MINUTES - Corrections (if any) and approval:

President Pro-Tem Butkowski: You have the Council meeting minutes of July 20, 2015 before you. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Pro-Tem Butkowski: Please note the Administrative Committee meeting minutes of July 20, 2015; Board of Drainage and Flood Control meeting minutes of April 28, 2015; Board of Zoning and Building Appeals minutes of July 23, 2015; Building and Lands Committee meeting minutes of July 20, 2015; Civil Service Commission meeting minutes of July 21, 2015; Parks and Recreation Commission meeting minutes of June 24, 2015; Records Commission meeting minutes of July 28, 2015 and the Workers Compensation Committee meeting minutes of July 23, 2015.

Moved by President Pro-Tem Butkowski and seconded by Boose to split the lobby session to have two separate lobby sessions – the first is designed to allow people to speak on issues that are before Council that we are going to vote on this evening and the second session at the end of the meeting is to allow people to bring up any issues that they would like us to address.

President Pro-Tem Butkowski: Are there any comments or questions? All those in favor say yes. Those opposed say no.

Yes – 5

No – 0

President Pro-Tem Butkowski: Issue passed.

LOBBY (REGARDING AGENDA ITEMS ONLY):

President Pro-Tem Butkowski: Is there anyone here tonight to speak about what is on the agenda? Seeing none, we will move on then to the Administrator's reports. Mayor Gillock.

ADMINISTRATORS REPORTS:

A. **Mayor:** Thank you Madam President. Lear Nagle Road is closed north bound as most of you know between Lorain Road and Chestnut Ridge Road for up to another two weeks. We hope they get it done quicker, while Columbia Gas continues to conduct work on replacing that gas line. Traffic is being detoured at Lorain Road west bound to Root Road; north bound to Chestnut Ridge; east bound back to Lear Nagle Road. In addition, they will need four nights where they will be cross cutting Lear Nagle and Chestnut. These will be done in the evening. We don't have specific dates yet. They may do Lear Nagle this Sunday. We are working with them on the hours they will be closed at night and then they will be plated and open for traffic during the day. The second night they will lay the gas line and pave that cut. The next night, they will go to Chestnut with the same process. We have that also coming but that will take place at night and should not impact rush hour.

I also want to mention a little bit here about the intersection of Root and Chestnut. You will notice if you have been through there, we have added a turn lane. As a result of work in that area to work on the ditch, we had to relocate the sidewalk. While the sidewalk was out, we decided to put that turn lane in, which will help with the current detour and may help with next year's construction project and it will always be a help during regular traffic flow. We still have to come back and finish replacing the sidewalk and then where we put the stop sign that is currently stuck in the asphalt, will have an island in there so that will be protected a little bit. We needed to get it in there temporarily for that turn lane to begin functioning as quick as we could. This will help with the detour that is going on right now.

The SafeWise report released its 50 safest cities in Ohio report, which North Ridgeville ranked at number 20. To compile this report, they use the most recent FBI crime data from 2013 and rank cities that have a minimum population of 8,000 people. We have been ranked as one of the safest cities for a number of years in a row now. Thank you to our Police and Fire personnel and our vigilant residents for doing their part to make our city a safe place to live.

Tomorrow evening, the Parks and Recreation Department is holding a ribbon cutting ceremony at the new fitness equipment that was recently installed at South Central Park. I would like to extend an invitation to the residents to attend tomorrow August 4 at 6:00 P.M. The equipment was fully funded through Communities Preventing Chronic Disease Grant, which was made possible by the Ohio Department of Health and the Center for Disease Control and Prevention and administered through the Lorain County General Health District. That was a \$25,000 grant with no match on our part.

Lorain County General Health District will be conducting their second round of mosquito spraying over the next three nights; August 4, 5, and 6 depending upon weather conditions.

Trucks will be out spraying from 8:30 P.M. until 11:00 P.M. at night and the spray is not harmful to humans, pets or plants.

The annual Corn Festival kicks off Friday and continues through Sunday. Bainbridge Road will be closed to traffic beginning at 1:00 P.M. on Thursday in preparation for vendor set-up.

North Ridgeville Heart and Soul Challenge, Healthy Strides, August 12 at Frontier Park. Our Speaker will be Dr. Ankur Gupta from the North Ridgeville Family Dentistry.

Moved by Mayor Gillock and seconded by Johnson to hold an executive session in place of recess to discuss personnel matters; specifically the dismissal or discipline of an employee.

President Pro-Tem Butkowski: All those in favor say yes. All those opposed no.
Yes – 5 No – 0

President Pro-Tem Butkowski: Motion passes. Thank you.

Councilman Keenan: Madam Chair, may I address the Mayor and his report?

President Pro-Tem Butkowski: Yes.

Councilman Keenan: Mayor, the other day I was coming off of I-80 and got on to Lorain west bound and we all know that there is a lot of traffic on Lorain west bound right now and I worked my way down to Root Road heading north and I just wanted to express through you a thank you to the Chief of Police who I saw at the intersection of Root and Chestnut directing traffic. Although, I personally witnessed the traffic back up because I was in it for quite a while and I know what people are going through, however, at every opportunity, we had a Police Officer at the intersection expediting traffic and so I just want to say thank you. It's going to be some traffic and we are all going to have to get used to it, but it was nice to see our Police Department out there and to see specifically, the Chief, out there doing what he could do to pitch in.

Mayor Gillock: Thank you. We did meet with Columbia Gas and all the department heads to coordinate and try to manage the rush hour. The first night was pretty bad. It's getting better, but we did plan on having police officers at each point of conflict and yes, the Chief, himself, was out there directing traffic. Those guys are on the job! Thank you.

President Pro-Tem Butkowski: I have seen him do that too during an accident and I was really surprised. He is out there doing everything. Okay, we are moving on to the Safety-Service Director who is not here tonight and so, we will move on to Scott, our Engineer.

B. Safety-Service Director: Absent.

C. Engineer: Thank you. I would like to bring your attention to T 101-2015 under third readings, which is a resolution of support for the Ohio Public Works Commission priorities. Our application is due September 4 and so I ask that it be passed tonight with the emergency in order that we don't run into any snags trying to round up signatures and that completes my report.

Councilman Boose: What is that deadline?

City Engineer Wangler: September 4.

President Pro-Tem Butkowski: Thank you. Auditor, Mr. Costin.

D. Auditor: Thank you. No report scheduled. I believe that you have a replacement ordinance T 115-2015 on the sale of BANs. Let me explain briefly. The original ordinance that was prepared required the issuance of BANs in the amount of \$600,000. The Administration has postponed the rebidding of this project and we would expect it to be hopefully, less than the \$600,000 additional. The replacement ordinance is worded to allow us to issue the BANs for a lesser amount. It is not determined in the ordinance. We have it not to exceed \$600,000 and therefore, if the estimates come in lower or the bids come in lower than we only have to issue the BANs for the necessary additional amount if any. So, I would request that Council simply substitute the amended T 115 with the one that was on the floor. We don't have to rush this. This could go through at this point and go through the normal process of readings because I don't believe the rebid is scheduled until the fourth quarter of the year.

President Pro-Tem Butkowski: So, when we get to that, we'll do the amendment to accept the amended one.

Auditor Costin: That completes my comments.

Councilwoman Johnson: Madam President. In that amended ordinance, section three, second line, should that be principal amount not to exceed \$600,000 rather than....

President Pro-Tem Butkowski: When we get to it we will work on the correction. That will work out best for this.

E. Other Reports:

President Pro-Tem Butkowski: July 2015 Mayor's Court report and July 2015 Parks and Recreation Director's report.

President Pro-Tem Butkowski: Council Committee Reports.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Smith:

ADMINISTRATIVE COMMITTEE report dated July 20, 2015 which recommends City Council adopt T 105 and T 106 as submitted and adopt T 107 as amended.

Moved by Keenan and seconded by Olesen to accept the Administrative Report.

President Pro-Tem Butkowski: All those in favor say yes. All those opposed say no.

Yes – 5 No – 0

President Pro-Tem Butkowski: Motion passes.

Clerk of Council Smith:

BUILDING AND LANDS COMMITTEE report dated July 20, 2015 which recommends City Council adopt T 103 as submitted.

Moved by Olesen and seconded by Keenan to accept the Building and Lands Committee Report.

President Pro-Tem Butkowski: Are there any questions? All those in favor say yes. All those opposed say no.

Yes – 5 No – 0

President Pro-Tem Butkowski: Motion passed.

CORRESPONDENCE:

Clerk of Council Smith:

1. A letter dated July 10, 2015 from the Department of Commerce reminding the City of North Ridgeville all liquor permits expire October 1, 2015.
2. A memo dated July 20, 2015 from Engineer Scott Wangler notifying City Council of the completion of Pioneer Ridge Phase 9 Subdivision at Waterbury.

OLD BUSINESS: None.

NEW BUSINESS:

President Pro-Tem Butkowski: Under ordinance and resolution submittals, we have T 118.

Ordinance and Resolution submittals

Clerk of Council Smith:

T 118-2015 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS LOCATED IN THE PIONEER RIDGE PHASE 9 SUBDIVISION AT WATERBURY, AND DEDICATING THEM FOR PUBLIC PURPOSES.
(Introduced by Mayor Gillock)

President Pro-Tem Butkowski: T 119.

Clerk of Council Smith:

T 119-2015 AN ORDINANCE REPEALING N.R.C.O. SECTION 1062.15 *BURIAL OF INDIGENTS*.
(Introduced by Mayor Gillock)

Mayor Gillock: Madam President. Just a brief explanation. Our codified ordinances state that when an indigent person dies within your jurisdiction, by State law, you are responsible for disposing of the body, which results in the burial or cremation, or whatever the case may be. This has only happened once before that I am aware of with an infant; a long time ago. We had one a couple of weeks ago and the County Coroner called and said that it was ours to deal with and our ordinance limits us to \$230.00. Two-Hundred and thirty dollars is not going to handle disposal in any way shape or form and so, what we are suggesting is to eliminate our restrictions and follow the State Code, which says the same thing but it doesn't have a dollar restriction.

President Pro-Tem Butkowski: Thank you. I don't think this should have to go to a committee, so we will just leave it and follow along.

RECESS:

President Pro-Tem Butkowski: We will now adjourn into executive session for the reasons stated by the Mayor.

Adjourned into executive session at 7:47 P.M.
Reconvened at 8:05 P.M.

President Pro-Tem Butkowski: Moving on to first readings.

FIRST READINGS:

Clerk of Council Smith:

T 99-2015 A RESOLUTION DECLARING THE CITY'S SUPPORT OF THE PRESERVATION OF COMMERCIAL USE AND VIABILITY OF PARCELS OF REAL PROPERTY EFFECTED BY THE U.S. RT. 20 (CENTER RIDGE ROAD) IMPROVEMENT PROJECT IN CIRCUMSTANCES WHERE GOVERNMENTAL ACQUISITION OR APPROPRIATION OF REAL PROPERTY INTERESTS RENDER ANY PARCEL NONCONFORMING UNDER THE NORTH RIDGEVILLE CODIFIED ORDINANCES ZONING AND BUILDING REGULATIONS.
(Introduced by Mayor Gillock)

President Pro-Tem Butkowski: T 114.

Clerk of Council Smith:

T 114-2015 AN ORDINANCE ADOPTING THE SOLID WASTE MANAGEMENT PLAN
FOR THE LORAIN COUNTY SOLID WASTE MANAGEMENT DISTRICT
FOR 2016-2025.

(Introduced by Mayor Gillock)

Councilman Keenan: Madam President. On this one, I would just like some discussion to see if there is anybody who has any issues with this or questions to at least move it to third reading and then maybe pass it. Maybe not as an emergency measure, but we are going to just spend two more weeks looking at this thing and not doing anything with it. It is a huge, voluminous book written by the County.

President Pro-Tem Butkowski: We just usually let them go. It is not a good idea to just move it forward because you are tired of reading them.

Councilman Boose: Madam President. I just want to make a comment. It is interesting when you read through that. I didn't read word for word, I did go through and it is interesting of all the places that they take our refuse that the Lorain County Landfill is the one that has the shortest lifespan. At some point, you would think the costs are going to have to go up quite a bit because they are going to have to expand that current one, find a new one or take it to places that are going to be further away and that kind of jumped out at you. It is not that it is a couple of years shorter than the others; it is significantly shorter than the others. It is something to think about in the future.

President Pro-Tem Butkowski: Thank you. We'll move on to T 115-2015 in which we need a motion to amend and you have the amended copy on your desk.

Moved by Johnson and seconded by Boose to amend T 115 by substitution.

Law Director Crites: Madam President, just for clarification. We are amending by substitution with the copy that has been distributed.

Councilman Boose: Madam President, we also need to make sure that in section three second line the wording be changed.

Law Director Crites: Madam President, because that is typographical and not substitutive, no motion is needed. The fact that it is noted on the record is adequate.

Councilman Keenan: Madam President, one more comment. I didn't see anywhere where it talks about what sub basin or what area of the city this work is going to occur. Would that be appropriate? To me, someone reads this and it's citywide and I don't think that is the point. Isn't it more directed than that?

Mayor Gillock: Madam President. This is for the sewer line that we have to install at Center Ridge Road before we do the widening project.

Auditor Costin: Can I make a comment also, Madam Chairman? Legal counsel utilized the exact same verbiage as we did for the prior initial note so that if we do issue this note in the future, when we go to bonds and there are two notes with two balances, they can be combined. So, we actually used the exact precise wording to be able to allow him to do that in the future if necessary.

Councilman Keenan: I understand and this is the Center Ridge Road sewer line to be installed prior to the widening.

President Pro-Tem Butkowski: Are there any other questions? All those in favor say yes. All those opposed say no.

Yes – 5

No – 0

President Pro-Tem Butkowski: Motion passed. Clerk please read T 115 amended by substitution.

Clerk of Council Smith:

T 115-2015 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$600,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S SANITARY SEWERAGE SYSTEM BY CONSTRUCTING, RECONSTRUCTING AND REHABILITATING SANITARY SEWERS, SANITARY SEWER CONNECTIONS, MANHOLES AND CLEAN OUTS, TOGETHER WITH NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

(Introduced by Mayor Gillock)

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

Auditor Costin: This can be processed through the system.

Councilwoman Johnson: I thought they wanted the emergency on this.

Auditor Costin: Because we are not going to do the bid as I explained earlier until the end of September or early October, there is no reason to rush this along. There is no emergency.

Mayor Gillock: Madam President. Just a small point. The Clerk, read the original ordinance and not the one that was substituted.

Law Director Crites: Madam President, there is a motion on the floor. Councilwoman Johnson, do you either want to continue for a second or withdraw your motion?

Councilwoman Johnson: I was seeing if they wanted the emergency on this.

Mayor Gillock: No, we are not going out for bids until probably the end of September beginning of October. So there is no urgency in getting this passed tonight.

Councilwoman Johnson: I will withdraw my motion.

President Pro-Tem Butkowski: Will the Clerk read T 115 amended by substitution?

Clerk of Council Smith:

T 115-2015 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF
Amended NOT TO EXCEED \$600,000 OF NOTES, IN ANTICIPATION OF THE
ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF
IMPROVING THE CITY'S SANITARY SEWERAGE SYSTEM BY
CONSTRUCTING, RECONSTRUCTING AND REHABILITATING
SANITARY SEWERS, SANITARY SEWER CONNECTIONS, MANHOLES
AND CLEAN OUTS, TOGETHER WITH NECESSARY APPURTENANCES
AND WORK INCIDENTAL THERETO.

(Introduced by Mayor Gillock)

Councilman Boose: Madam President. All I would ask is the statements that were made during the discussion of the amendment, if we could direct the Clerk's office to put the amended by substitution ordinance on the electronic devices here so that when we look at it again in two weeks, it will be the correct version.

President Pro-Tem Butkowski: It will be on there. Moving on to second readings. T 110-2015.

SECOND READINGS:

Clerk of Council Smith:

T 110-2015 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 1210.04, *PUBLIC HEARINGS; NOTICE.*

(Introduced by Mayor Gillock; First Reading 07.20.2015)

President Pro-Tem Butkowski: T 113-2015.

Clerk of Council Smith:

T 113-2015 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 Mayor Gillock; First Reading 07.20.2015)

President Pro-Tem Butkowski: T 101-2015.

THIRD READINGS:

Clerk of Council Smith:

**T 101-2015 A RESOLUTION OF SUPPORT FOR THE OHIO PUBLIC WORKS
COMMISSION PRIORITIES.**

(Introduced by Mayor Gillock; First Reading 07.06.2015; Second Reading 07.20.2015)

Moved by Johnson and seconded by Olesen to adopt T 101-2015.

Moved by Johnson and seconded by Olesen to add the emergency to T 101-2015 in order to meet the application filing deadline.

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

Clerk of Council Smith: With two absentees, the measure passed.

Yes – 5 No – 0

President Pro-Tem Butkowski: A motion was made by Johnson and seconded by Olesen to pass this resolution with the emergency. Are there any questions? Clerk, please call the roll.

Clerk of Council Smith: With two absentees, the measure passed and becomes **Resolution number 1361-2015.**

Yes – 5 No – 0

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

President Pro-Tem Butkowski: We will move on to lobby to discuss items of interest that you would have tonight. Is there anyone here that would like to speak on the second lobby? Seeing none, meeting announcements.

MEETING ANNOUNCEMENTS:

President Pro-Tem Butkowski: The next regular Council meeting will be on **Monday, August 17, 2015 at 7:30 P.M.** in Council Chambers.

Councilman Keenan: Madam President, before we adjourn, I would like to make a brief announcement. I will be hosting a Ward 1, Neighborhood Town Hall discussion meeting at the Library at 7:00 P.M. on August 18. That is Tuesday, two weeks from tomorrow, in the Library Main Conference room for anyone in Ward 1. Please come and you can also email me in advance anything that you would like to be sure is on the agenda for that night. I would invite anyone to come to discuss what is on your mind with city-wide issues. Thank you.

ADJOURNMENT:

President Pro-Tem Butkowski: Thank you. Is there anyone else? See you all at the Corn Festival and this meeting is adjourned. The meeting was adjourned at 8:16 P.M.

Approval of minutes:


PRESIDENT PRO TEM OF COUNCIL


CLERK OF COUNCIL