

**NORTH RIDGEVILLE CITY COUNCIL
MINUTES OF REGULAR MEETING NOVEMBER 3, 2014**

CALL TO ORDER: 7:30 P.M.

President Corcoran: Calling to order the Monday, November 3, 2014 regular Council meeting.

INVOCATION:

Led by President Corcoran.

PLEDGE OF ALLEGIANCE:

Led by President Corcoran.

ROLL CALL:

Present were Council members Terrence Keenan, Dennis Boose, Robert Olesen, Roseanne Johnson, Dr. Ronald Arndt, Bernadine Butkowski and President Kevin Corcoran.

Also present was Mayor David Gillock, Safety-Service Director Jeffrey Armbruster, 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 Corcoran: You have before you the Council meeting minutes of October 20, 2014. Are there any corrections or objections to approving those minutes? Seeing none, those minutes are approved.

President Corcoran: Please note the Administrative Committee minutes of October 20, 2014, the Board of Zoning and Building Appeals meeting minutes of October 23, 2014, the Civil Service Commission meeting minutes of October 21, 2014 and the Parks and Recreation Commission meeting minutes of September 24, 2014.

LOBBY:

President Corcoran: That brings us to the lobby session of the meeting. This is your opportunity to address Council and bring your concerns to us. Unfortunately, this is not an interactive session and we do not have questions and answers. It is just an opportunity for you to tell us what your problems are and we will have the appropriate people get back to you. If you are going to speak, please step up to the podium and state your name and address for the record. You will have three minutes to speak on the topic of your choice. Is there anyone that would like to address Council this evening?

Tony Hatmaker, 3870 Tree Moss Lane: asked City Council to refer T 118-2014 to Committee for study. Mr. Hatmaker stated he felt the legislation is written to just benefit one person.

President Corcoran: Is there anybody else that would like to address Council this evening? Seeing none, we'll move on to the Administrator's reports. Mr. Mayor.

ADMINISTRATORS REPORTS:

A. Mayor: Thank you Mr. President.

Moved by Mayor Gillock and seconded by Johnson to go into executive session to discuss personnel and litigation issues.

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

Yes - 7 No - 0

(Adjourned into executive session at 7:35 P.M.)

(Reconvened at 8:05 P.M.)

Mayor Gillock: First item I would like to address is I would like to introduce Mr. Tim Pope. Tim would you stand up? I am going to be nominating Mr. Pope to be the City's new Treasurer which takes City Council approval. The position has been open since August. We advertised for applications and we had several. We interviewed five and narrowed it down to two. There really was no contest. We settled on Tim. We know Tim. He has, I believe, thirty years' experience as a City Treasurer with Middleburg and retired. Then he went to work for Fifth Third in their bond and underwriting department and was our underwriter last December when we went to New York and sold 5.8 million in bonds. So Tim knows the City well and we have worked with him before. He teaches, I believe, related to this and we think he brings a wealth of experience and credentials that we could put to good use.

Moved by Mayor Gillock and seconded by Boose to approve the appointment of Tim Pope to the position of City Treasurer.

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

Yes - 7 No - 0

Mayor Gillock: Congratulations and we will see you at 7:30 A.M. tomorrow morning.

You will find on your desk this evening a new Ordinance amending...Mr. Smith, would you give me a T number please?

Clerk of Council Smith: T 120, Mayor.

Mayor Gillock: T 120 is an Ordinance amending two previous Ordinances by amending the amount of the grant received and amending the amount of the City's loan for the Chestnut Ridge Road Phase 3 reconstruction project. Last November of 2013, a year ago; Council adopted a Resolution accepting an offer from the OPWC in the amount of a grant of \$124,499.00 and a revised loan amount, interest free, of \$125,000.00 which was slightly different - \$75,000.00 different which we moved from the grant to the interest-free loan from the original offer. We passed that and accepted it. This year when we actually went out for bid and entered into the contract, our Engineering Department mistakenly used the old numbers. This Ordinance simply

amends those numbers to reflect the correct amounts. We need to get this passed as we have bills from the contractor that need to be paid.

Moved by Mayor Gillock and seconded by Olesen to add T 120 to the agenda under first readings.

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

Yes – 7

No – 0

Mayor Gillock: Thank you. Lastly, I have three Ordinances that are on the agenda that we would like passed with the emergency tonight and I will go into more detail when they come up: T 113 – our cleaning contract; T 118 – salary and benefits to the City Treasurer and T 119 – the Brownfield Coalition which I believe the Safety-Service Director can speak to when that comes up. That concludes my report other than be sure to vote tomorrow if you have not voted already. Thank you.

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

B. Safety-Service Director: Thank you Mr. President. The Mayor mentioned T 119 – the Brownfield Coalition. There are several communities that are joining this Coalition back a year or so ago, actually I believe it was two years we applied for grants. We applied for grants again this year and at the top of our list for our grant process, after being approved by the EPA was the Highland Detention Basin which was number one, then AT&T building and the Ridgeview shopping center were the second and third for remediation for phase one and phase two for the Brownfield Coalition dollars. There is approximately \$600,000 plus in that account that will buy the communities in the Coalition first. We will see how that goes and there may be a second round that we will be able to do some phase one and phase two work on some of our projects as we move forward. We really need to get this done this evening. The other communities have done so we can move forward on the Brownfield processes.

Leaf pick up started October 27th and it goes until November 25. I did notice as I left my neighborhood today that there were still some leaf bags still left. I know that this is the second week that they have been out. They will be out to pick those up probably tomorrow. It kind of adds that extra truck. Then you have to go out and get it. I know that they are going to pick it up, if not, please give us a call. We will make sure that it is picked up before next week.

Tomorrow we all go out and vote. Hopefully we do. We have Issue 20 and 21 – Center Ridge Road as well as the income tax levy as well as Issue 19 which is the Planning Commission not meeting when they don't have to meet. Hopefully, everyone will give it some thought. Go out and exercise your right to vote. That is one of the reasons why we live in this free United States and exercise that right and please do so. That completes my report this evening.

Mayor Gillock: Mr. President, just a clarification: Jeff talked about the leaf pick-up; we pick up leaves in the brown bags year round not restricted to this period of time. This period of time lets you put leaves out in any plastic bags, the big green ones, clear ones or whatever you want and they will take them, but the rest of the year you got to use the recycle bags. Thank you.

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

C. Engineer: No report tonight. Thank you.

President Corcoran: Thank you Mr. Wangler. Auditor.

D. Auditor: Thank you, I have no report scheduled as well.

Mayor Gillock: Yeah you do.

John Coorey – Regional Liaison, State Auditor’s office – presented an award to Auditor Costin for a clean and timely audit.

Auditor Costin: I just have to say – I appreciate the award. I have to accept this on behalf of the City because an award like this is bigger than one office. We have department heads that do a great job and as John said, without the compliance, we wouldn’t have received the report at all. It is not just the auditor’s office; it is the department heads that work so hard in trying to assist in complying with Ohio Revised Code that allowed us to get this. It really is an award on behalf of the entire City and I do respectfully accept on behalf of the City of North Ridgeville. Thank you.

Councilman Arndt: Mr. President, I guess I would like to ask: this is one in how many years of repeat awards of this nature? Chris?

Auditor Costin: You are asking me? I think we are on our fourteenth CAFR and I think there was really one year that we missed out on this citation because there was a document missing on our single audit and a year later it popped up. It was just misfiled, so again, I think that is a testament to the City employees: the offices and department heads that work so hard on behalf of the City.

Councilman Arndt: Does also awards like this for the auditor’s office give living testament to the accuracy of the accounting and the auditing that is done in our City?

Auditor Costin: I believe that is part of the audit function that the Auditor of State performs.

Councilman Arndt: Thank you. Congratulations.

President Corcoran: Thank you. Congratulations.

E. Other Reports:

President Corcoran: We have the September 2014 Parks and Recreation Director's report.

COUNCIL COMMITTEE REPORT(S):

Clerk of Council Smith:

ADMINISTRATIVE COMMITTEE report dated October 20, 2014 which recommends the Law Director revise T 100 & T 101 and table T 102.

Moved by Keenan and seconded by Arndt to accept the October 20, 2014 Administrative Committee report.

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

Yes – 7

No – 0

President Corcoran: That report has been accepted. Moving on.

CORRESPONDENCE: None.

OLD BUSINESS: None.

President Corcoran: Moving on to new business.

NEW BUSINESS:

Ordinance and Resolution Submittals

Clerk of Council Smith:

T 109-2014 AN ORDINANCE AMENDING ARTICLE 26 *WAGE RATES* OF ORDINANCE NO. 4916-2012, AND AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO AN AGREEMENT WITH CERTAIN MEMBERS OF THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Olesen to suspend the By-laws to give T 109 a first reading.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, as everyone was aware, we had a wage opener with the police patrolmen union and the sergeants and lieutenants unit. The dispatchers have already settled. We went to fact finding which Council accepted and the unions rejected, so we ended up in conciliation. The result of that conciliation is that the conciliator ruled for the City in that they would get two percent for the year which is the same as the dispatchers and what we have done with the other bargaining units. So this is final. We do need to pass the Ordinance and proceed from there.

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

Yes – 7

No – 0

President Corcoran: That will be added to first readings. T 110.

Clerk of Council Smith:

T 110-2014 AN ORDINANCE AMENDING ORDINANCE NO. 5140-2014, WHICH APPROVED THE PURCHASE/LEASE OF 3 NEW POLICE VEHICLES FROM THE STATE CO-OP OR FROM AN OUTSIDE VENDOR, BY INCREASING THE AMOUNT OF VEHICLES BEING PURCHASED TO 4, AND BY INCREASING THE PURCHASE AMOUNT FROM \$95,481.00 TO \$128,033.00.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Butkowski to suspend the By-laws to give T 110 a first reading.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, during appropriations we approved purchasing three new vehicles this year and passed that with a limiting amount of \$95,481.00. A couple weeks ago, residents may recall, we had an accident at I-480 right at the North Olmsted line where North Olmsted was investigating a fatal accident and our guys were helping with traffic control and another vehicle came through and hit our patrol car destroying it; totaling it. This is a simple replacement. We need that vehicle. Once we get it ordered we buy it off state bid lists. Once we get it ordered, it will take at least three months to get it. We will be short a vehicle. We have increased the Ordinance by the full amount of the vehicle, however, the person that hit it does have insurance and we will get some of the money back. We looked at Blue Book and we are guessing we will get somewhere around \$12,000-\$13,000, I'm not sure. This is simply a replacement for a vehicle that is totaled that we need.

Councilman Boose: Can I ask; understanding that again we will hopefully recoup \$11,000 or \$12,000 or whatever the Blue Book is from the insurance company. From what fund are we going to pull this money from in order to pay for this vehicle at this point?

Auditor Costin: What we would have to do is utilize a portion of the contingency in Capital Projects. This is one of those items that if Council deems to pass, then when we do our next amending appropriation Ordinance –it is already appropriated as a contingent item and as we have explained in the past, we put money in contingencies so when things pop up we don't have to stop the presses to do an amending appropriation Ordinance. So if Council passes this, we would utilize the contingency line item and move this into Capital Outlay for those vehicles and on the next amended appropriations we will move that line item.

Councilman Boose: There is enough in the contingency to pay for the whole thing?

Auditor Costin: Just barely.

Councilman Boose: Thank you.

President Corcoran: Anybody else?

Councilman Keenan: Mr. President, Mayor, what will we do without the vehicle for the next three months?

Mayor Gillock: We would obviously have to take an assigned vehicle and turn it into a fleet vehicle of some type and rotate it and have two or three guys using the same vehicle. We have some fleet vehicles; this one is an older Crown Vic with about 65,000 on it. So that is what we would have to do, start doubling up.

Councilman Keenan: My question was going to get to the point if it was three months or three months and two weeks, what is the difference?

Mayor Gillock: The Police Chief is not here. I can't really answer it for him. Just off the top of my head that is what they would have to do is start doubling up. Other than that, you are going to have to speak to the Police Chief.

Councilman Arndt: Mr. President, whether it is directed to the Mayor or the Safety-Service Director - so missing one of these cars is going to have a really deleterious impact on our police force? Are there not enough vehicles that can be swapped out until, for instance, we wait and see how our election is and see what a difference that might make? I guess the point being is holding off until perhaps our next Council meeting to see the financial situation that we find ourselves in or does this factor safety in the ability for us to deliver what we need to for the community?

Mayor Gillock: In the short term, it won't make a big difference. Three months you can double guys up and I don't believe it will be a safety issue. In the long run, I definitely believe it is. We have seen studies where we have compared single use vehicles to fleet vehicles and it gets very expensive real quick. They start to develop maintenance issues; they get a lot of miles and you start having to cycling those cars a lot faster; buying new cars. They are not taken care of as well and we have a lot of issues with fleet cars in the long run compared to assigning a vehicle to an officer and he takes care of it. We only do that with officers that live in town. We want those police cars out in the neighborhoods being visible. So that is why we have some that are assigned to be single use and they take them home and they are in the neighborhoods and then we have others that are fleet cars because they are not taken home but in the long run the ones that they take care of on a single use basis last longer and are safer, but the next three months is not going to make a difference.

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

Yes – 7 No – 0

President Corcoran: T 110 will be added to first readings. T 111.

Clerk of Council Smith:

T 111-2014 AN ORDINANCE APPROVING THE FINAL PLAT OF WOODBRIDGE COURT SUBDIVISION 5; PART OF RIDGEFIELD HOMES SUBDIVISION 1, FOR RECORDING PURPOSES ONLY.

(Introduced by Mayor Gillock)

Moved by Keenan and seconded by Arndt to move T 111 to first readings.

President Corcoran: Are there any comments or questions?

Councilwoman Butkowski: Don't we have to do three readings on this? No, we don't.

President Corcoran: I will have to recuse myself on this.

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

Yes – 6 No – 0

President Pro-Tem Butkowski: T 111 will be under first readings.

President Corcoran: T 112.

Clerk of Council Smith:

T 112-2014 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REPLACEMENT WATER AGREEMENT WITH THE CITY OF ELYRIA.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Olesen to give T 112 a first reading.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, we only need to give this a first reading this evening. That is all we need to do with it. By way of explanation – in 2012 we reached an agreement with Elyria to purchase a maximum of two million gallons of water per day at a substantially favorable price at \$1.20 per thousand gallons. Since then, and we use a lot more than that; we use about three million a day. We buy the rest from Avon Lake at a much higher cost. Once we got the system working properly, everything balanced, the pumps working; we have been consistently using or buying from Elyria more than two million gallons. Elyria came to us and said that is fine, we would love to sell you the water but under this contract we did not contemplate or figure on you buying more than two million. We would like to negotiate for the additional water and that is what we did. We retained the same ten year contract; same terms and conditions. We did add a

minimum of 1.25 million gallons per day; well, we are buying more than two so the million is not going to be an issue. We keep the two million gallons a day at the \$1.20 rate but anything over two million up to 3.1 will cost us \$1.50 per thousand gallons. That rate is still favorable compared to Avon Lake where we buy the rest of our water which is \$1.70. So this is an amendment allowing us to buy up to an additional 1.1 million gallons per day at a slightly higher rate. Thank you.

President Corcoran: Any other questions?

Councilman Boose: Mr. President, other than the rate increase over two million to \$1.50 and the \$1.20 inclusion of the minimum, were there any other changes to Exhibit "A"?

Mayor Gillock: No.

Councilman Boose: Thank you.

Councilman Keenan: Mr. President, I did have one other question in my reading of that contract. It talked about provided however that the eight inch meter shall be purchased and maintained. Was that something that happened a couple years ago and therefore doesn't play into this contract?

Mayor Gillock: Yes, when we originally reached an agreement with Elyria, the water comes from Elyria and up Center Ridge Road. There is a pump station by where we used to have the kennel right next to the turnpike and then there is another line that comes up Sugar Ridge and there were things that we had to do. We had to update some of those pumps and put in some pressure reduction valves because the key to this whole thing is balancing the pressures. You have to do that and some of our pumps weren't up to par. Actually, what we did at that time, we had to spend \$25,000, but Elyria gave us credit for \$5,000 for five months so they actually paid for the improvements is what that refers to.

Councilman Keenan: Thank you.

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

Yes – 7

No – 0

President Corcoran: T 112 is now added to first readings. T 113.

Clerk of Council Smith:

T 113-2014 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TRIANGLE SERVICES, INC. FOR CUSTODIAL SERVICES, NOT TO EXCEED \$55,000.00.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Butkowski to add T 113 to first readings.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, our current contract expires December 1st so we are going to need the emergency adopted this evening or we wait until the next meeting which we could do. So I just wanted to bring that to your attention. The contract does renew December 1st which is less than thirty days from now.

Councilman Arndt: Mr. President, is this contract now with the company that we currently use? Or is this a new organization?

Mayor Gillock: No, this is a new organization. We had been with a local company for several years. We started looking at our totals about a year and a half, two years ago. Each department was purchasing cleaning services individually. When we added them all up we were getting close to the \$50,000 ceiling that requires you to go to bid. At this point we would definitely be over that number. We went out for bid. The existing company's bid was \$64,000.00 and this company was \$55,000.00 - a substantial savings. Triangle Services is a national company with \$130,000,000.00 in assets and they do the cleaning at Lorain Community College and they were pretty happy with them. We decided we needed to make this move and there is no reason not to and we are saving some money.

Councilman Arndt: Okay, thanks.

Councilman Keenan: Mr. President, Mr. Mayor, since we went from about \$50,000.00 to about \$55,000.00; did we add scope or is it the market?

Safety-Service Director Armbruster: Well actually Mr. President, we looked at the entire process and talked to all the department heads just to see just exactly what they needed to have done. Then we looked at the contract itself so we defined the cleaning very distinctly and offered it out to all companies to bid on from using specifications that were very specific in what they had to do. It did change from the standpoint of the bidding because if you are going to get a good bidding you want to make sure that everybody is bidding on the same process.

Councilman Keenan: Mr. President, I have one more question; under section four it talks about the one year contract will begin December 1st and have a two year option. Is that one, two year option? Or is that two, one year options? I favor the one year option.

Mayor Gillock: I am going to have to defer to the Law Director as it is my understanding that we can extend it for one year.

Law Director Crites: I don't believe so.

Mayor Gillock: Two years?

Law Director Crites: Yes.

Mayor Gillock: Okay.

Councilman Keenan: One option for two years – the base term is one year and the option is two years.

Law Director Crites: You are talking about the actual options, yeah, I understand.

Councilman Keenan: I think it is in our best interests to have two, one year options.

Mayor Gillock: I agree.

Law Director Crites: Well, you can always negotiate, but it is an option.

Councilman Keenan: Yes, I understand, but to perform each year and you can always fire them and there are a lot of things...

Law Director Crites: You can still pick up the option and it is a whole new ...

Councilman Keenan: Well, in the second year; you understand my point? I am in favor of making this transition. I like it. I think you are being more efficient and setting standards and I think that is all good. Can we modify this on the floor to include two, one year options versus one, two year option?

Law Director Crites: You could and it would constitute a counteroffer. You could just basically change what you are authorizing the Mayor to contract for and then go back to the vendor and say well this is what Council authorized which I think is perfectly appropriate and I think they would go for it.

Councilman Boose: On that same vein, was the two year option a part of the bid, or was that extra? The option would be part of the bid? If that is the case, I would certainly be in favor of suggesting making the change (inaudible).

Law Director Crites: I would suggest, Mr. President, that this be read and left and revisited in two weeks and we can negotiate the contract.

President Corcoran: I think that was one of the suggestions that we had. Yes, Mr. Boose?

Councilman Boose: Questions – the company is stationed out of New York. They are a national company since 1992 and I believe the local office here out of Pepper Pike; I talked to the Law Director before the meeting – they do not have any papers filed with the Ohio Secretary of State which typically you would see, again, not a deal breaker but I just wanted to bring that to everyone's attention; even though they have worked with Lorain County Community College since 2013. I did notice that the Fire Department and French Creek are not included – who does their cleaning and why weren't they included?

(Inaudible)

Safety-Service Director Armbruster: I believe that the answer for French Creek, if you have been out there, it is something that our workers take care of on an ongoing basis. They clean things because of the hazardous waste and all the different things and all the different materials they are working with. It makes all the sense in the world that they would maintain it.

Councilman Boose: It might be again for the next contract, but it wouldn't be a bad idea to at least get a bid. Again, sometimes there is a savings in having a company that does just that and have the people that work there for us do what they are supposed to do and not have to worry about that.

Safety-Service Director Armbruster: I'll take that as a suggestion, yes.

President Corcoran: Anybody else? All those in favor say yes. Those opposed say no.
Yes – 7 No – 0

President Corcoran: T 113 is now added to first readings. T 114.

Clerk of Council Smith:

T 114-2014 AN ORDINANCE AUTHORIZING THE DONATION OF MUNICIPAL REAL PROPERTY AND ACCESSORY STRUCTURES TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE WIDENING AND IMPROVEMENT OF U.S. ROUTE 20 (CENTER RIDGE ROAD).
(Introduced by Mayor Gillock)

President Corcoran: I am going to refer that to the Building and Lands Committee. T 115.

Clerk of Council Smith:

T 115-2014 AN ORDINANCE AUTHORIZING THE DONATION OF MUNICIPAL REAL PROPERTY AND ACCESSORY STRUCTURES TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE WIDENING AND IMPROVEMENT OF U.S. ROUTE 20 (CENTER RIDGE ROAD).
(Introduced by Mayor Gillock)

President Corcoran: I will refer that to the Building and Lands Committee. T 116.

Clerk of Council Smith:

T 116-2014 AN ORDINANCE AUTHORIZING THE DONATION OF MUNICIPAL REAL PROPERTY AND ACCESSORY STRUCTURES TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE WIDENING AND IMPROVEMENT OF U.S. ROUTE 20 (CENTER RIDGE ROAD).
(Introduced by Mayor Gillock)

President Corcoran: I am going to refer that to the Building and Lands Committee as well. T 117.

Clerk of Council Smith:

T 117-2014 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH AFSCME OHIO COUNCIL 8 TO AMEND THE COLLECTIVE BARGAINING AGREEMENT AS IT RELATES TO WAGE INCREASES AWARDED TO LICENSED BUILDING INSPECTORS.

(Introduced by Mayor Gillock)

Moved by President Corcoran and seconded by Johnson to amend T 117 to add under Section one, after the word “employees,” “The collective bargaining agreement was authorized by City Council on March 17, 2014 via Ordinance No. 5110-2014.”

President Corcoran: Are there any comments or questions? You want to explain that?

Law Director Crites: Yes, real briefly – this has no operative effect with this Ordinance. This Ordinance will serve to actually amend the contract itself. What it does is prevent any confusion if one is looking to pull up the contract so that if someone searching would find this Ordinance, they would easily reference the original Ordinance which enacted the original contract. That make any sense? This Ordinance amends our collective bargaining agreement. It stands in itself to do that. We are not amending... a year ago or two years ago when we negotiated with AFSCME, this Council passed an Ordinance which actually authorized the Mayor to enter into that contract. So the contract became the living, breathing three-year contract which we now live off of and use with AFSCME. What this Ordinance does is amend that contract. Out of concerns expressed from other departments, namely, the auditor’s office, we wanted to be sure that there was no confusion with this new piece of legislation is deemed; he wanted, and understandably I agree with him, to include reference to the original piece of legislation which gave life to the contract which we are amending. Any better? Any other questions?

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

Yes – 7

No – 0

President Corcoran: T 117 is now amended.

Law Director Crites: I would defer again to the Auditor because the ramifications of it either being passed now or later would have, it may have some affect as far as the clerical burden of imposing the change or Mr. Auditor, will it be okay to let it run the distance? Do you believe it would benefit your office that this be effective immediately?

Auditor Costin: As we are approaching year end, not that we don’t have enough to do already; if it is Council’s intention to pass this, then I believe it would be less burdensome on our office to pass it earlier than later as we are in the month of November right now and have one month left in the year – particularly this year. That would be my request if Council allows it to pass at all.

President Corcoran: We are just going to let it go for today. 118.

Clerk of Council Smith:

T 118-2014 AN ORDINANCE ESTABLISHING AN ANNUAL SALARY AND BENEFITS FOR THE CITY TREASURER AND AMENDING EXHIBIT "A" OF THE DEPARTMENT HEAD SALARY ORDINANCE NO. 2725-93 AND SUBSEQUENT AMENDMENTS THERETO.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Butkowski to give T 118 a first reading.

President Corcoran: Any comments or questions?

Mayor Gillock: Mr. President, as we noted earlier, we hired a new Treasurer who right now would come under our administrative salary grid. Because Mr. Pope has some exceptional abilities and experience, we wanted to recognize the professional nature of what he is doing. We have been looking at our supervisors for a long time and we think by doing this, we can give him what he wants and save the City money. Right now, the department heads automatically get increases which are tied to the bargaining units. They get 1/3rd, 1/3rd, and 1/3rd – whatever the three bargaining units get, they automatically get. We also pick up an extra four percent of their PERS retirement and they are able to bank sick time, comp time, other time like that that are often cashed out in large amounts when employees leave. By adopting this Ordinance, we will treat the City Treasurer as we do the Engineer, and the Law Director and the Mayor and the Safety-Service Director as they will be salaried employees not punching a time clock; not getting overtime and not getting an extra four percent pick-up and not banking any of those times to cash out at a later date. Actually, Mr. Pope requested it be this way. He doesn't want to punch a clock and be paid overtime. We think this is good for the City and we will save a lot of money doing it this way.

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

Yes – 7

No – 0

President Corcoran: T 119.

Clerk of Council Smith:

T 119-2014 A RESOLUTION AUTHORIZING THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A CONTRACT WITH MEMBERS OF THE LORAIN COUNTY BROWNFIELD COALITION AS REQUIRED BY THE UNITED STATES EPA IN ORDER TO DRAW FUNDS FROM THE US EPA BROWNFIELD ASSESSMENT GRANT AWARDED TO LORAIN COUNTY.

(Introduced by Mayor Gillock)

Moved by Boose and seconded by Butkowski to suspend the By-laws to add T 119 to first readings.

President Corcoran: Any comments or questions?

Councilman Arndt: Mr. President, if I could redirect the question to our Safety-Service Director? I need a little more clarification in what this Brownfield process is about. You identified two facilities – okay, AT&T...

Safety-Service Director Armbruster: Ridgeview shopping center and the Highland Detention Basin. Number one would be the Highland Detention Basin – retention or detention – the one that we just spend \$150,000.00 on.

Councilman Arndt: Okay, that answered my question. Thank you.

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

Yes – 7

No – 0

President Corcoran: T 119 will be under first readings. Quick time out... (Technical difficulties being addressed). That is the end of new business.

RECESS:

President Corcoran: Would anybody like a recess?

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

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

Yes – 7

No - 0

FIRST READINGS:

Clerk of Council Smith:

T 105-2014 AN ORDINANCE APPROVING THE FINAL PLAT OF NORTHBOROUGH SENIOR CITIZEN PLANNED RESIDENTIAL DEVELOPMENT, PHASE 2, FOR RECORDING PURPOSES ONLY.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Boose to dispense with the second and third readings for T 105.

President Corcoran: Are there any comments or questions?

Councilman Keenan: Yes, Mr. President, I would like to make a comment and it is pretty much an observation – we handle the final plat approvals of all these developments that we get involved with. It is purely perfunctory. It is handled with the Planning staff. Once Council approves the project and we go through the plans at that point, then it is just simply a recording process; which when we don't act they can't sell. It bothers me that we find ourselves doing first

reading and second reading, you know, going through this process and often times I have observed, for whatever reason, not brought to us in a timely way and then it is discovered and so forth. I am in strong favor of dispensing with these readings. It is a very routine matter. For those reasons I am in favor of dispensing with T 105 and T 109. I am going to be in the same place on both of those.

President Corcoran: Any other comments?

Councilman Olesen: One comment: why have we always held three readings on these in the past? Was there a legitimate reason we were doing this?

Law Director Crites: Maybe the better question is – there has never been a reason to waive the readings. It was just straight procedural due course. It was just basically coming up with an Ordinance that the County wants to see. The question is does the County want to see the legislation? I don't know if you want to weigh in on this Scott. I think they do want to see the Council actually acted to approve the plat so that it can be recorded.

Engineer Wangler: When it comes time to sign the plat, I have to have the date and the Council action that accepted it.

Law Director Crites: But, as far as three readings; it is certainly no provision in which our Charter requires three readings. It is not a rezoning and it is not an assessment.

Councilman Olesen: Then why did we do it? Is there a reason?

Law Director Crites: It is the same reason that your By-laws dictate that everything that is submitted has three readings. That is the normal course of the legislative process.

Councilman Olesen: I don't ever remember any one of these changing after a first reading or adding an amendment or anything like that. That is all done initially before it comes to Council.

Councilman Boose: Mr. President, I believe I am correct in after it goes to the Planning Commission and everything else is done, the Engineer then certifies everything is done before this legislation even comes before us. Correct?

Engineer Wangler: Yes, that is correct.

Councilman Boose: It has already been through all the checks and balances and again, there is no reason I see that it needs waived.

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

Yes – 7

No -0

Moved by Arndt and seconded by Boose to adopt T 105.

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

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5178-2014.**

Yes – 7

No – 0

President Corcoran: This may sound out of order, but this is the order in which they were passed. T 120 is up first which was talked about first in the Mayor's report.

Clerk of Council Smith:

T 120-2014 AN ORDINANCE AMENDING ORDINANCE NOS. 5147-2014 AND 5148-2014, BY AMENDING THE AMOUNT OF THE GRANT RECEIVED AND THE AMOUNT OF THE CITY'S LOAN FOR THE CHESTNUT RIDGE ROAD PHASE 3 RECONSTRUCTION PROJECT.

(Introduced by Mayor Gillock)

Moved by Olesen and seconded by Butkowski to dispense with the second and third readings for T 120.

President Corcoran: Are there any comments or questions?

Auditor Costin: Just a quick observation: although we are actually increasing the amount of the loan; we are moving money from the grant to the loan, based on the Engineer's office input, the project is actually going to be about \$145,000.00 under original cost estimate. The actual loan amount that we will incur still will not exceed the original, what was thought to be, \$50,000.00. That is good news, but we do have to do the technical change because that is the amount of the specified loan and grant in the agreement.

President Corcoran: That is good news. Thank you. All those in favor say yes. Those opposed say no.

Yes – 7

No -0

Moved by Olesen and seconded by Butkowski to adopt T 120.

Moved by Olesen and seconded by Butkowski to add the emergency clause to T 120 in order to pay the bills for the project.

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

Yes – 7

No – 0

President Corcoran: On the adoption of T 120 with the emergency clause, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5179-2014.**

Yes – 7 No – 0

President Corcoran: Mrs. Butkowski, would you take the next one please which is T 109?

Councilman Arndt: T 111 is the one you want to recuse yourself on.

President Corcoran: Thanks. T 109.

Clerk of Council Smith:

T 109-2014 AN ORDINANCE AMENDING ARTICLE 26 *WAGE RATES* OF ORDINANCE NO. 4916-2012, AND AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO AN AGREEMENT WITH CERTAIN MEMBERS OF THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC.

(Introduced by Mayor Gillock)

Moved by Mayor Gillock and seconded by Olesen to dispense with the second and third readings for T 109.

President Corcoran: Are there any comments or questions?

Mayor Gillock: Mr. President, we would want to adopt this tonight to give the auditing department enough time to do all the calculations they have to do to pay these guys this year. According to the Auditor, we also need the emergency.

President Corcoran: For the reason being?

Auditor Costin: To complete our contractual obligation on a timely basis.

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

Yes – 7 No – 0

Moved by Olesen and seconded by Butkowski to adopt T 109.

Moved by Olesen and seconded by Johnson to add the emergency clause to T 109 in order to meet the contractual obligations on a timely basis.

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

Yes – 7 No – 0

President Corcoran: On the adoption of T 109 with the emergency clause, are there any comments or questions?

Councilman Keenan: Mr. President, I do, one of the Auditor; I realize this has been resolved through the process and that there is really no more negotiating happening here and I am not looking for that. In our budgeting process for 2014, how did we account for the raise due to this union?

Auditor Costin: Very good question. When we did our original appropriations, we used two percent for everybody across the board. We anticipated, and that was our position to offer the two percent. So the two percent was actually appropriated back in our permanent appropriations in March.

Councilman Keenan: Thank you. I thought that was worth noting.

President Corcoran: Clerk, please call the roll.

Clerk of Council Smith: The measure passes unanimously and becomes **Ordinance number 5180-2014.**

Yes – 7

No – 0

President Corcoran: T 110.

Clerk of Council Smith:

T 110-2014 AN ORDINANCE AMENDING ORDINANCE NO. 5140-2014, WHICH APPROVED THE PURCHASE/LEASE OF 3 NEW POLICE VEHICLES FROM THE STATE CO-OP OR FROM AN OUTSIDE VENDOR, BY INCREASING THE AMOUNT OF VEHICLES BEING PURCHASED TO 4, AND BY INCREASING THE PURCHASE AMOUNT FROM \$95,481.00 TO \$128,033.00.

(Introduced by Mayor Gillock)

President Corcoran: Okay, next up Mrs. Butkowski.

President Pro-Tem Butkowski: T 111.

Clerk of Council Smith:

T 111-2014 AN ORDINANCE APPROVING THE FINAL PLAT OF WOODBRIDGE COURT SUBDIVISION 5; PART OF RIDGEFIELD HOMES SUBDIVISION 1, FOR RECORDING PURPOSES ONLY.

(Introduced by Mayor Gillock)

Moved by Keenan and seconded by Arndt to dispense with the second and third readings for T 111.

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

Yes – 7 No – 0

Moved by Arndt and seconded by Keenan to adopt T 111.

President Pro-Tem Butkowski: Is there any discussion? Do we need the emergency for that?

Councilman Keenan: No.

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

Clerk of Council Smith: The measure passed unanimously, with one recusal and becomes **Ordinance number 5181-2014.**

Yes – 6 No – 0

President Corcoran: T 112.

Clerk of Council Smith:

T 112-2014 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REPLACEMENT WATER AGREEMENT WITH THE CITY OF ELYRIA.
(Introduced by Mayor Gillock)

President Corcoran: T 113.

Clerk of Council Smith:

T 113-2014 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH TRIANGLE SERVICES, INC. FOR CUSTODIAL SERVICES, NOT TO EXCEED \$55,000.00.
(Introduced by Mayor Gillock)

Councilman Keenan: Mr. President, was there a request that this be passed tonight?

Mayor Gillock: Mr. President, we are going to get the answer to the question on the two year option and then we will pass it at the next meeting.

Councilman Keenan: Thank you.

President Corcoran: T 118.

Clerk of Council Smith:

T 118-2014 AN ORDINANCE ESTABLISHING AN ANNUAL SALARY AND BENEFITS FOR THE CITY TREASURER AND AMENDING EXHIBIT “A” OF THE DEPARTMENT HEAD SALARY ORDINANCE NO. 2725-93 AND SUBSEQUENT AMENDMENTS THERETO.

(Introduced by Mayor Gillock)

Moved by Arndt and seconded by Boose to dispense with the second and third readings for T 118.

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

Yes – 7 No – 0

Moved by Arndt and seconded by Boose to adopt T 118.

Councilman Arndt: Mr. President, do we need an emergency or can we simply adopt this tonight?

Auditor Costin: He starts tomorrow, I believe.

President Corcoran: Since he starts tomorrow...

Moved by Arndt and seconded by Boose to add the emergency clause to T 118 in order to have the agreement in place before the employee begins.

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

Yes – 7 No – 0

President Corcoran: On the adoption with the emergency clause for T 118, are there any comments or questions? Clerk, please call the roll.

Clerk of Council Smith: The measure passed unanimously and becomes **Ordinance number 5182-2014.**

Yes – 7 No – 0

President Corcoran: T 119.

Clerk of Council Smith:

T 119-2014 A RESOLUTION AUTHORIZING THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A CONTRACT WITH MEMBERS OF THE LORAIN COUNTY BROWNFIELD COALITION AS REQUIRED BY THE UNITED STATES EPA IN ORDER TO DRAW FUNDS FROM THE US EPA BROWNFIELD ASSESSMENT GRANT AWARDED TO LORAIN COUNTY.

(Introduced by Mayor Gillock)

Moved by Keenan and seconded by Boose to dispense with the second and third readings for T 119.

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

Yes – 7 No – 0

Moved by Keenan and seconded by Boose to adopt T 119.

Moved by Keenan and seconded by Boose to add the emergency clause to T 119 in order to move quickly to join the Coalition to secure this money as fast as possible to clean up the Brownfield sites.

President Corcoran: On the emergency clause, all those in favor say yes, those opposed say no.

Yes – 7 No – 0

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

Clerk of Council Smith: The motion passed unanimously and becomes **Resolution number 1319-2014.**

Yes – 7 No – 0

President Corcoran: There are no second readings.

SECOND READINGS: None.

President Corcoran: There are no third readings.

THIRD READINGS: None.

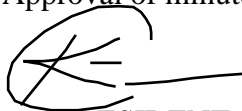
MEETING ANNOUNCEMENTS:

President Corcoran: In case you forgot, tomorrow is Election Day. Please remember to vote. Our next Council meeting will be held on Monday, November 17, 2014 right here in Council Chambers at 7:30 P.M.

ADJOURNMENT:

President Corcoran: Seeing no other business to bring before the City this evening, the meeting is adjourned. The meeting was adjourned at 9:12 P.M.

Approval of minutes:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL