

**NORTH RIDGEVILLE CITY COUNCIL
MEETING MINUTES
February 21, 2023**

CALL TO ORDER:

President Jacobs called the Tuesday, February 21, 2023, Council meeting to order at 7:00 p.m.

INVOCATION:

Led by President Jacobs.

PLEDGE OF ALLEGIANCE:

Led by President Jacobs.

ROLL CALL:

Present were Council members President Jason Jacobs, Holly A. Swenk, Dennis Boose, President Pro-Tem Bruce Abens, Clifford Winkel, Martin DeVries, and Georgia Awig.

Also present were Mayor Kevin Corcoran, Law Director Brian Moriarty, Director of Finance April Wilkerson, City Engineer Christina Eavenson, Clerk of Council Nicholas Ciofani, and Assistant Clerk of Council Fijabi Gallam.

MINUTES - Corrections (if any) and approval:

President Jacobs asked if there were any corrections to the City Council meeting minutes dated February 06, 2023, and Committee of the Whole Committee Meeting Minutes dated February 6, 2023. No discussion was offered. The meeting minutes stand approved as submitted.

President Jacobs noted the following report:

Utilities Committee Meeting Minutes dated January 17, 2023

LOBBY:

President Jacobs opened the lobby session. He asked anyone who would like to speak to come to the podium and state their name and address. He further added that each person is allowed three minutes to speak.

Gary Chopcinski at 33699 Browning Drive, remarked that he had an issue with the increased amount reflected in T 24-2023. Mr. Chopcinski wanted to know where are the additional funds coming from and why the increase is so significant. The legislation requested to increase from \$250,000 to \$900,000 for a sludge processing and storage building.

Robert Baumgardne at 6327 Stoney Ridge Road, petitioned the City Council to change the noise ordinance in regard to residential construction. He provided a back story on new construction and the construction creating issues for their older homes. He expressed his concerns to the administration. He believed

construction should not be allowed to work until 9:00 p.m. Mr. Baumgardne wants the time to change, so it does not affect the residents resting hours.

ADMINISTRATORS REPORTS:

1. Mayor:

Mayor Corcoran invited the community to attend an upcoming Ready to Listen Workshop to share their ideas about the future of North Ridgeville. The City is creating a new master plan and welcomes ideas. The following are the workshop dates: February 28, 2023, at 6:30 PM at Liberty Elementary; March 1, 2023, at 4:30 PM at Fields United Methodist Church; March 2, 2023, at Noon at the North Ridgeville Library. For more details, the community could visit the North Ridgeville Ready website at RidgevilleReady.com.

Mayor Corcoran concluded his report.

Former Safety Service Director Armbruster (current position is the Lorain County Administrator) expressed his appreciation for the City of North Ridgeville and his appreciation for being the new Lorain County Administrator. Mr. Armbruster gave some background on how his first day was as the Lorain County Administrator. He is excited about the transition.

2. Safety-Service Director:

No report.

3. Engineer:

Engineer Eavenson remarked the following:

- The new Police Station is on schedule and the utility work is scheduled to be completed in April.
- There is a surge in commercial development and the Engineering Department is overseeing the review of several improvement plans for Angie's Coffee on Lorain Road, Chipotle on Center Ridge Road, and the Lorain County Health and Dentistry.
- The department did the subdivision inspection for the Meadows Lake Subdivision.
- Peanut Roundabout is still in progress.

Engineer Eavenson concluded her report.

4. Auditor:

Director of Finance Wilkerson had no report.

5. Other Reports:

President Jacobs noted the following reports:

- January 2023 Mayor's Court Report
- January 2023 Water Distribution and EPA Report

COUNCIL COMMITTEE REPORT(S):

UTILITIES COMMITTEE REPORT dated February 06, 2023 – The committee reviewed and considered T 175-2022. The committee tabled T 175-2022 for further discussion.

(Council action required)

Moved by Boose and seconded by Winkel to accept the Utilities Committee Report dated February 6, 2023.

A voice call vote was taken and the motion carried.

Yes – 7 No – 0

COMMITTEE OF THE WHOLE REPORT dated February 06, 2023 – The Committee considered the City Council’s Bylaws, recommended additional amendments to Sections 7 and 21, and referred the City Council’s Bylaws back to City Council for approval.

(Council action required)

Moved by DeVries and seconded by Awig to accept the Committee of the Whole Report dated February 6, 2023.

A voice call vote was taken and the motion carried.

Yes – 7 No – 0

CORRESPONDENCE:

Clerk of Council Nicholas Ciofani:

OLD BUSINESS:

There was none.

NEW BUSINESS:

The North Ridgeville Planning Commission took action on the following items at their Regular Meeting of February 14, 2023:

1. PPZ2023-0164: AGLR Investments, LLC, 34275 Lorain Rd, PPN 07-00-014-106-007

Applicant: AGLR Investments, LLC, 36097 Westminister Ave, North Ridgeville, OH 44039. Proposal consists of splitting a 5.4556-acre parcel zoned B-3 Highway Commercial District into two parcels. Parcel A will be 4.3848 acres and Parcel B will be 1.0708 acres. Parcel B fronting Root Road is proposed to be rezoned to R-1 Residence District.

PC ACTION: Approved by a vote of 3-0

(Council approval is required for all plans and recommendations from Planning Commission)

Councilman Abens remarked that the commission looked at the request very carefully and the commission did not want to eliminate a commercial district, but the particular piece of property is undevelopable for commercial use. The zoning was preventing the owner to sell the property.

Councilwoman Swenk agreed with Councilman Aben’s explanation. A portion of the parcel had a big ditch

going through it.

Moved by Abens and seconded by Swenk to approve the Planning Commission's action for the AGLR Investments, LLC request.

A voice call vote was taken and the motion carried.

Yes – 7 No – 0

2. **PPZ2023-0167: Dayton Freight Lines, LLC, 38686 Taylor Pkwy, PPN 07-00-047-000-118**
Applicant: EMH&T, Russell Henestofel, 5500 New Albany Rd, Columbus, OH 43054.
Proposal consists of constructing a truck transfer terminal. Property is zoned I-3 Heavy Industrial District.
PC ACTION: Approved by a vote of 3-0
(Council approval is required for all plans and recommendations from Planning Commission)

Councilman Abens explained that this is a \$30 million project and has 118 doors. The company would use route 57 as its access point and is bringing 140 new jobs to the community.

Moved by Abens and seconded by Swenk to approve the Planning Commission's action for the Dayton Freight Lines, LLC request.

A voice call vote was taken and the motion carried.

Yes – 7 No – 0

3. **Proposed Zoning Ordinance**
AN ORDINANCE REPEALING CHAPTER 1284 OFF-STREET PARKING AND LOADING REQUIREMENTS, CHAPTER 1290 COMMERCIAL AND INDUSTRIAL ACCESS DRIVES AND SECTION 1294.08 LIGHTING LAWS, AND CREATING A NEW CHAPTER 1285 PARKING, LOADING AND LIGHTING OF THE NORTH RIDGEVILLE ZONING CODE
PC ACTION: Approved by a vote of 3-0
(Council approval is required for all plans and recommendations from Planning Commission)

Councilman Abens expressed that the Planning and Economic Development Director Kim Lieber is doing a great job in reviewing the zoning and building code.

Councilwoman Swenk expressed her appreciation for Mrs. Lieber.

Moved by Abens and seconded by Swenk to approve the Planning Commission's action for the Proposed Zoning Ordinance request.

A voice call vote was taken and the motion carried.

Yes – 7 No – 0

4. **T-11-2023: AN ORDINANCE AMENDING SECTIONS 1268.02, 1270.02, AND 1272.02 OF THE NORTH RIDGEVILLE ZONING CODE TO UPDATE USE REGULATIONS FOR CAR WASHES.**
PC ACTION: Approved by a vote of 3-0
(Council approval is required for all plans and recommendations from Planning Commission)

Councilman Abens explained that the legislation is an effort to slow down the development of car washes. It would require a one-mile distance between car washes. Mr. Abens explained that the

legislation would hold up in court.

Councilman Boose wanted to know why car washes were singled out and if any other businesses should be included.

Councilman Abens remarked that other business types are being looked into. There were plans of developers who wanted to put more car washes, so that is the reason for the legislation.

Councilwoman Swenk expressed that many people have issues with multiple car washes in one area like on Lorain Road.

Councilman Abens remarked that the legislation would not affect any filling stations that have a car wash.

Mayor Corocran provided background on why communities do moratoriums or limit the amount of the same business coming to the community. He added that the administration did talk about moving the one-mile requirement to two miles.

Moved by Abens and seconded by Swenk to approve the Planning Commission's action for T 11-2023.

A voice call vote was taken and the motion carried.

Yes – 7 No – 0

Transfer Liquor Permit Request:

A request from the Ohio Division of Liquor Control for a transfer of permit request for AFU Square LLC, Tommys Bar, and Grill at 34173 Center Ridge Road to Graced By Nashville LLC DBA Smoking Marys, at 34173 Center Ridge Road & Patio.

(Council action required - move to not request a hearing so that this permit can be sent to the state for final disposition by March 13, 2023)

Moved by Winkel and seconded by Swenk to move not to request a hearing so that this permit can be sent to the state for final disposition by March 13, 2023

A voice call vote was taken and the motion carried.

Yes – 7 No – 0

RECESS:

Moved by Winkel and seconded by Boose to dispense with recess.

A voice vote was taken and the motion carried.

Yes – 7 No – 0

FIRST READINGS:

Ordinance and Resolution submittal(s)

Clerk of Council Nicholas Ciofani:

T 20-2023 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH SNIDER RECREATION INC. FOR THE INSTALLATION OF A NEW PLAYGROUND LOCATED AT SOUTH CENTRAL PARK, NOT TO EXCEED \$275,000.00.
(Introduced by Mayor Corcoran)

This ordinance moved forward to Second Reading.

Clerk of Council Nicholas Ciofani:

T 21-2023 AN ORDINANCE AMENDING THE ZONING MAP OF THE CITY OF NORTH RIDGEVILLE SUCH THAT A PORTION OF PARCEL NUMBER 07-00-014-106-007 LOCATED AT 34275 LORAIN ROAD BE REZONED FROM B-3 HIGHWAY COMMERCIAL DISTRICT TO R-1 RESIDENCE DISTRICT.
(Introduced by Mayor Corcoran; Public Hearing on 3-06-2023)

This ordinance moved forward to Second Reading.

Clerk of Council Nicholas Ciofani:

T 22-2023 AN ORDINANCE REPEALING CHAPTER 1284 OFF-STREET PARKING AND LOADING REQUIREMENTS, CHAPTER 1290 COMMERCIAL AND INDUSTRIAL ACCESS DRIVES AND SECTION 1294.08 LIGHTING LAWS, AND CREATING A NEW CHAPTER 1285 PARKING, LOADING, AND LIGHTING OF THE NORTH RIDGEVILLE ZONING CODE.
(Introduced by Mayor Corcoran; Public Hearing on 3-06-2023)

This ordinance moved forward to Second Reading.

Clerk of Council Nicholas Ciofani:

T 23-2023 A RESOLUTION APPROVING THE CITY OF NORTH RIDGEVILLE TO PARTICIPATE IN FIVE (5) PROPOSED NEW NATIONAL OPIOID SETTLEMENTS AND/OR THE STATE OF OHIO'S INTERSTATE ALLOCATION AGREEMENTS.
(Introduced by Mayor Corcoran)

This ordinance moved forward to Second Reading.

Clerk of Council Nicholas Ciofani:

T 24-2023 AN ORDINANCE AMENDING ORDINANCE NO. 5838-2021, 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 A SLUDGE PROCESSING AND STORAGE BUILDING FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE AMOUNT FROM \$250,000.00 TO \$900,000.00.
(Introduced by Mayor Corcoran)

Councilman Boose wanted to know what is included in the increase and where are the additional funds coming from.

Mayor Corcoran explained that the pricing for the project was based on the year 2020 projections. The price is for a storage concrete building. This project has been in multiple discussions for the past few years and the cost is still for the building. The building is needed to store the dry sludge to sell in the future. It is more expensive to move the sludge to a dump. It is easier to sell to farmers. The additional funding is from the new 5-year rate study.

Councilman Boose understood that costs have gone up and it was a huge increase.

Mayor Corcoran explained that concrete is a huge impact on the cost increase.

Councilman boose understood the 5-year rate study plan is over the 5 years, but he wanted to know what funds the City would have to come up with in the meantime.

Director of Finance Wilkerson explained that the project is part of the rate study and it planned for the funds to be available in the French Creek Improvement funds by moving around the projects over the next five years. Mrs. Wilkerson added that there was talk about the increase during the budget meetings, but the City did not have the funds at the time.

Councilwoman Swenk expressed that the funds should be used for other building needs in the City like the Service Department and storing its expensive equipment.

Mayor Corcoran explained that the Service Department does not have room to expand and the administration is looking for an alternative space to move them to. Mayor Corcoran explained that a bond issue to build a new building for the Service Department is not a good idea. Building a service garage would cost more than the sludge building that is being proposed. The sludge building is needed for the operation and future of the French Creek Water Plant.

President Jacobs wanted to know if the cost would decrease since it is the cost of materials.

Councilman Winkel believed that it is hard to find concrete and he does not believe the cost of concrete would decrease.

Mayor Corcoran continued to discuss the issues with getting concrete.

Councilwoman Swenk wanted to know if the building has to use concrete.

Mayor Corcoran explained that concrete is needed to store the sludge.

Moved by Mayor Corcoran and seconded by Boose to dispense with the second and third readings for T 24-2023.

A voice vote was taken and the motion carried.

Yes – 6 No – 1 (Swenk)

Moved by Mayor Corcoran and seconded by Boose to maintain pricing for building the Sludge building.

A voice vote was taken on the emergency clause and the motion carried.

Yes – 6 No – 1 (Swenk)

Moved by Mayor Corcoran and seconded by Boose to adopt T 24-2023 with the emergency clause.

Councilwoman Swenk noted that she would be voting against the legislation because she believed they need more time to review the increase.

A roll call vote was taken on the adoption, with the emergency, and the motion carried. T 24-2023 becomes **Ordinance number 6044-2023.**

Yes – 6 No – 1 (Swenk)

SECOND READINGS:

Clerk of Council Nicholas Ciofani:

T 9-2023 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO, TO ENTER INTO AN AGREEMENT BETWEEN THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) AND THE CITY OF NORTH RIDGEVILLE FOR SIGN INSTALLATION AND MAINTENANCE.
(Introduced by Mayor Corcoran; First Reading on 2-21-2023)

This ordinance moved forward to Third Readings.

Clerk of Council Nicholas Ciofani:

T 11-2023 AN ORDINANCE AMENDING SECTIONS 1268.02, 1270.02, AND 1272.02 OF THE NORTH RIDGEVILLE ZONING CODE TO UPDATE USE REGULATIONS FOR CAR WASHES.
(Introduced by Mayor Corcoran; First Reading on 2-06-2023; Planning Commission Meeting on 2-14-2023; Public Hearing on 3-06-2023)

This ordinance moved forward to Third Readings.

Clerk of Council Nicholas Ciofani:

T 13-2023 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A CONTRACT WITH CT CONSULTANTS, INC., A PROFESSIONAL ENGINEERING FIRM, TO CONDUCT A “NO FEASIBLE ALTERNATIVE (NFA)” STUDY OF SECONDARY TREATMENT BYPASSES, NOT TO EXCEED \$70,000.00.
(Introduced by Mayor Corcoran; First Reading on 2-21-2023)

This ordinance moved forward to Third Readings.

THIRD READINGS:

Clerk of Council Nicholas Ciofani:

T 6-2023 AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE ULTRASONIC WATER METERS AND APPURTENANCES FROM BADGER METER, INC., NOT TO EXCEED \$250,000.00 FOR CALENDAR YEAR 2023.
(Introduced by Mayor Corcoran; First Reading on 1-17-2023; Second Reading on 2-6-2023)

Moved by Abens and seconded by Swenk to adopt T 6-2023.

A roll call vote was taken on the adoption, and the motion carried. T 6-2023 becomes **Ordinance number 6045-2023.**

Yes – 7 No – 0

MEETING ANNOUNCEMENTS:

President Jacobs noted the following:

- A Public Hearing would be on Monday, March 6, 2023, at 6:00 p.m. in the Police Department Training Room (Entrance of the Police Department) to notify the public of T 11-2023, T 21-2023, and T22-2023.
- The next Committee of the Whole meeting would be on Monday, March 6, 2023, at 6:30 p.m. in the Police Department Training Room (Entrance of the Police Department) to discuss the City Council Bylaws.
- The next Regular Council meeting would be on Monday, March 6, 2023, at 7:00 p.m. in the Police Department Training Room (Entrance of the Police Department).

ADJOURNMENT:

President Jacobs adjourned the meeting at 7:52 p.m.

Approval of minutes on March 6, 2023:



Jason Jacobs
PRESIDENT OF COUNCIL



Nicholas Ciofani
CLERK OF COUNCIL