

**NORTH RIDGEVILLE CITY COUNCIL  
MEETING MINUTES  
JULY 20, 2020**

**CALL TO ORDER:** 7:30 p.m.

President DeVries called the Monday, July 20, 2020 Council meeting to order.

**INVOCATION:**

Led by President DeVries.

**PLEDGE OF ALLEGIANCE:**

Led by President DeVries.

**ROLL CALL:**

Present were Council members Holly A. Swenk, Dennis Boose (via Zoom), President Pro-Tem Bruce Abens, Clifford Winkel, President Martin DeVries, James R. Maleski and Michelle Hung.

Also present was Mayor Kevin Corcoran, Safety-Service Director Jeff Armbruster, Law Director Brian Moriarty, Engineer Dan Rodriguez, Auditor April Wilkerson, Assistant Clerk of Council Tara Peet and Clerk of Council Nancy Linden.

**MINUTES - Corrections (if any) and approval:**

President DeVries asked for any corrections to the City Council meeting minutes of July 6, 2020. No discussion was offered. The minutes stand approved as submitted.

President DeVries noted that Council received the Planning Commission meeting minutes of July 14, 2020.

**LOBBY:**

President DeVries opened the lobby session. He stated they are utilizing YouTube for people to type their questions. There are instructions on the City's website through the City Council tab on how to get questions answered at [www.nridgeville.org](http://www.nridgeville.org). He paused for comments due to the delay in the broadcast.

He asked Assistant Clerk of Council Peet to read any questions or comments from the YouTube Channel feed.

Assistant Clerk of Council Peet stated she received two emails in regard to the Planning Commission action for Fire State #2.

Rachel Ball, President, Spencer Court Condo Association Board via email: The Chief stated residents should not be caught off guard as renovations have been on the books since 1973 and the builder of Spencer Court knew renovations were coming. This is unfair to us because 1) even if the builder knew of the possible renovations, that does not help us as he had no interest in the issue once the units here were sold. Beyond that, to be fair to us, who thinks to go to the City and

ask if they're going to move an existing building closer to their property line? It just seemed like an insensitive response to try and back his plan and it disregarded the effects this will have on our daily lives. We just want to know we are being thought of in this process. 2) Most of us knew changes were coming, however being that there is so little land along that line, we just assumed they would build further south and not closer to our property (east). Residents are concerned that quality of life may decrease from the construction process, increased noise, and closer activity/commotion. We may be used to the noises of the fire station, but it doesn't mean that aren't bothersome. How might the renovations affect sound and activity closer to the property line? We understand the need for renovations/updates. We want to know that we have been considered. If you put yourself in our position would you be happy with the proposed changes? If nothing can be done regarding the plans, we would like to ask that it be considered that the city add onto the plans the addition of some kind of sound barrier or high quality privacy fence to soften the effects this will have on residents along that line. We are very concerned about how this is going to affect our property value. Thank you for listening to our community. We appreciate your time.

Betty Gillis via email: We all assumed that the extension would be in the back, not to the east. 20 inches from our fence is ridiculous. I put 2 chairs back to back - 20 inches apart and I could hardly fit between them and I'm 5'5" and 133 lbs. Did the architect put himself in a 20 inch space and see exactly how feasible that is? Question - That is not even enough room for most men to fit in sideways. You can't even swing a hammer in 20 inches. You can't kneel to do work in 20 inches! So how are they going to build that exterior wall against our fence? Will our fence have to be taken down during construction? Also how are they going to maintain/repair the outside of that building in the future? Question - If you look at the photo Img-2433 that Rachel sent in there are a lot of pipes and wires coming into and out of that side of the building. Is the plan to have those kinds of items on the new building, as that will even shorten the inches to the fence? Question - Also in that photo is a roof overhang. If that is on the new building it would clearly hang over our fence. Exactly how close will the building be including all the attachments on it? Question - What is going to be on the ground against our fence: mulch, concrete or just dirt? They can't plant grass because a mower won't fit, how are they going to weed? What looks great on paper sometimes is just not right in actuality. Maybe the construction company, someone should mark a line down that fence at 20 inches and walk it.

Assistant Clerk of Council Peet stated there were no comments or questions at this time.

#### **ADMINISTRATORS REPORTS:**

**Mayor:** Mayor Corcoran stated T 80-2020 under second readings is to enter into a contract for the purchase and application of Reclamite asphalt rejuvenator. The application of Reclamite to recently asphalted streets will extend the service life of the pavement while conserving the maintenance budget. He asked that the ordinance be adopted with the emergency this evening in order to move forward with the project as soon as possible.

Mayor Corcoran stated the Service Department finished up their prep work on Poplar Street from Rosebelle to Rhonda last week and will be paving later this week – Wednesday or Thursday

depending on weather conditions. Their plan is to mill Dorchester and Westminster this Friday, July 24 with paving to follow next week. For the most up to date information, including the paving schedule, please see the City's website at [www.nridgeville.org](http://www.nridgeville.org).

Mayor Corcoran stated his next coffee and conversation will be Wednesday, July 22 from 8-9 AM. These conversations will continue to be done virtually via Zoom because of COVID-19 and the restrictions on mass gatherings of more than ten. Visit the City's website for details on how to join the conversation via Zoom.

Mayor Corcoran stated the number of confirmed COVID-19 cases is on the rise and Lorain County is now at Level 3 on the Ohio Public Health Advisory Alert System. Masks are required in all indoor locations and outdoors if you are unable to maintain social distancing. If you visit any of our city-owned properties, including City Hall, please make sure you wear your mask when entering our facilities. We want to ensure your safety and the safety of our employees.

Moved by Mayor Corcoran and seconded by Boose to suspend the By-laws to add the Utilities Committee Report to the agenda under Committee Reports.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

**B. Safety-Service Director:** No report.

**C. Engineer:** Engineer Rodriguez stated the full depth concrete repairs associated OPWC Round 33 contract for Gatestone Circle and Rock Point Circle are out to bid at this time. Bids will be opened on August 4, 2020.

Engineer Rodriguez stated the US 20/Center Ridge Road Widening Project has shifted traffic at State Route 83 and Center Ridge for the last phase of construction at the intersection. The previously placed temporary concrete pavement and the remaining existing asphalt roadway will be removed. Once removal is complete the sub-base will be prepared for new concrete curb and gutter and the placement of new asphalt pavement courses. Crews are continuing to prepare the multi-use trail along the south side of the roadway from east to west. There are also concrete crews that are continuing to work on drive aprons along the corridor.

Engineer Rodriguez stated Ranger Way has placed all mainline concrete pavement for Ranger Way. The contractor is currently working on Bainbridge Road to place the asphalt widening portion of the project with new concrete curb and gutter. A portion of Kensington Drive has also been paved. Work should be substantially complete by August 7th.

Engineer Rodriguez stated in regard to the State Route 83 Resurfacing Project - Shelly Company has been working throughout the length of State Route 83 from south Corp limits to north Corp limits. All mainline paving is complete at this time. Shelly Company is currently adjusting water

valves, monuments, and catch basins within the roadway. Any remaining pavement markings should be installed this week, weather permitting. The project completion date is July 31.

**D. Auditor:** Auditor Wilkerson stated on the agenda this evening is T 91-2020 which authorizes the execution of then and now certificates over \$3,000 by the City's fiscal officer. This would allow for payments that have been approved by Council through the appropriation process to be approved by the Auditor without coming back to Council again with additional legislation. If it was something not appropriated by Council, it comes to Council by way of legislation.

Auditor Wilkerson stated that also on the agenda is the tax budget. Lorain County Budget Commission waived the requirement to formally adopt the tax budget, but further stated she did provide it to City Council. The tax budget is just an estimate based on historical trends. It will be looked at in greater detail during the appropriation process in the fall.

**E. Other Reports:** President DeVries noted Council received the June 2020 Building Department Report, the June 2020 Fire Department Report, the June 2020 Mayor's Court Reports, the June 2020 Police Support Car Report and the June 2020 Water Distribution Reports.

**COUNCIL COMMITTEE REPORT(S):**

Clerk of Council Linden:

COMMITTEE OF THE WHOLE REPORT dated July 6, 2020 which tabled the discussion for T 77-2020, T 84-2020, T 86-2020, T 87-2020 and T 88-2020.

Moved by President DeVries and seconded by Abens to accept the Committee of the Whole Report dated July 6, 2020.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

Clerk of Council Linden:

UTILITIES COMMITTEE REPORT dated July 20, 2020 which recommended City Council adopt T 81-2020 as submitted.

Moved by Winkel and seconded by Abens to accept the Utilities Committee Report dated July 20, 2020.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

Moved by Mayor Corcoran and seconded by Maleski to add T 81-2020 to second readings.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

**CORRESPONDENCE:** None.

**OLD BUSINESS:** None.

**NEW BUSINESS:**

Clerk of Council Linden:

Planning Commission actions taken at the July 14, 2020 meeting:

**APPLICANT:** Bradley Mull, Mull & Weithman Architects, 4525 Indianola Ave., Columbus, OH 43214

**OWNER:** City of North Ridgeville, Fire Station No. 2

**REQUEST:** Additions and renovations to Fire Station No. 2

**LOCATION:** 34523 Lorain Road in a B-3 Highway Commercial District  
Permanent Parcel No. 07-00-014-105-038

**PC ACTION:** **Approved with a vote of 4-0.**

Councilman Abens stated the activities won't add new noise to the area, a fire rated wall of twelve inches of masonry will be constructed and utilities will be underground with no overhang. He felt it was a project worth voting for.

Moved by Abens and seconded by Maleski to approve the Planning Commission action.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

Clerk of Council Linden:

**APPLICANT:** Richard Stickland, UYA Holdings, LLC, 118 Mill Street, Medina, OH 44256

**OWNER:** UYA Holdings, LLC, 118 Mill Street, Medina, OH 44256

**REQUEST:** Construction of a production facility

**LOCATION:** 7385 Race Road, south of Center Ridge Road in a B-3 Highway Commercial District  
Permanent Parcel No. 07-00-034-000-137

**PC ACTION:** **Approved with a vote of 4-0 conditional upon the side yard setback being 25 feet.**

Moved by Abens and seconded by Hung to approve the Planning Commission action.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

Clerk of Council Linden:

**APPLICANT:** Joe Molnar, Bob Schmitt Homes, Inc., 9095 Gatestone Road, North Ridgeville, OH 44039

**OWNER:** Same

**REQUEST:** Final plat approval of Ridgefield Subdivision, Phase No. 16

**LOCATION:** South of Sprague Road and adjacent to the Cuyahoga-Lorain County line in an R-1 Residence District  
Permanent Parcel No. 07-00-001-000-409

**PC ACTION:** **Approved with a vote of 4-0**

Moved by Abens and seconded by Maleski to approve the Planning Commission action.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

**RECESS:**

Moved by Hung and seconded by Winkel to dispense with the recess portion of the meeting.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

**FIRST READINGS:**

**Ordinance and Resolution submittal(s)**

Clerk of Council Linden:

**T 90-2020** AN ORDINANCE AMENDING N.R.C.O CHAPTER 1286 SIGNS.

*(Introduced by Mayor Corcoran)*

Mayor Corcoran stated the moratorium on billboards will be expiring on August 16, 2020 and this legislation will need adopted at the next meeting with the emergency to have this effective when the moratorium ends.

Clerk of Council Linden:

**T 91-2020** AN ORDINANCE AUTHORIZING THE EXECUTION OF THEN AND NOW CERTIFICATES BY THE CITY FISCAL OFFICER AND THE PAYMENT OF AMOUNTS DUE FOR VARIOUS PURCHASE ORDERS.

*(Introduced by Mayor Corcoran)*

President DeVries asked if the legislation was time sensitive.

Auditor Wilkerson stated yes.

Moved by President DeVries and seconded by Abens to dispense with the second and

third readings for T 91-2020.

Councilwoman Hung stated to the President that he would need a voice vote on the motion.

A roll call vote was taken and the motion carried.

Yes – 4                      No – 3 (Swenk, Winkel, Hung)

Moved by President DeVries and seconded by Abens to adopt T 91-2020.

Moved by President DeVries and seconded by Maleski to add the emergency clause to T 91-2020.

Councilwoman Hung stated Ohio Revised Code states that an expenditure that has not been approved and encumbered prior to purchase or service must be approved by Council legislation. She asked if the City fiscal officer was the same as our City auditor.

President DeVries stated yes that was his understanding and asked the Law Director.

Law Director Moriarty stated that was correct.

Councilwoman Hung stated the funds are appropriated, but each individual item isn't appropriated for. She felt this was taking Council control away for approving individual purchases. She felt it conflicted with Ohio Revised Code and felt it should go to Administrative Committee so Council can understand.

Mayor Corcoran stated that other municipalities have this type of legislation in place.

President DeVries felt further clarification was needed and referred T 91-2020 to the Finance Committee since it oversees the budget.

Clerk of Council Linden:

**T 92-2020**      AN ORDINANCE ADOPTING AND APPROVING THE TAX BUDGET OF  
THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE YEAR BEGINNING  
JANUARY 1, 2021 AND SUBMITTING SAME TO THE LORAIN COUNTY  
AUDITOR.

*(Introduced by Mayor Corcoran)*

Moved by Mayor Corcoran and seconded by Winkel to dispense with the second and third readings for T 92-2020.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

Moved by Boose and seconded by Abens to adopt T 92-2020.

Moved by Boose and seconded by Winkel to add the emergency clause to T 92-2020 in order to meet the July 20, 2020 filing deadline.

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

Yes – 7                      No – 0

A roll call vote on the adoption, with the emergency clause, was taken and the motion carried. T 92-2020 now becomes **Ordinance number 5756-2020.**

Yes – 7                      No – 0

**SECOND READINGS:**

Clerk of Council Linden:

**T 79-2020**      AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, WITH A CONSULTING ENGINEERING FIRM FOR ENGINEERING PLANS AND SPECIFICATIONS FOR A ROUNDABOUT AT THE INTERSECTION OF MILLS ROAD, STONEY RIDGE ROAD AND AVALON DRIVE IN AN AMOUNT NOT TO EXCEED \$164,000.00.  
*(Introduced by Mayor Corcoran; First reading 07/06/2020)*

Councilwoman Swenk stated she has received a lot of correspondence regarding this project and how it will impact the speed and traffic on Avalon Drive. She asked if something would be done or looked into.

Safety-Service Director Armbruster stated he has responded to several resident questions to include a police officer. He sent the gentleman a drawing and he was satisfied with the answer. The road cannot be lined up. The resident building a house actually moved their house in anticipation of the roundabout.

Councilwoman Swenk asked how everyone felt about putting a roundabout at the entrance of a subdivision.

Safety-Service Director Armbruster stated it isn't a roundabout but a figure eight. He stated it will slow traffic in all directions and will enhance visibility and landscaping in the area.

Engineer Rodriguez stated this will slow traffic and increase safety. The question of speeders in Avalon is a separate issue to the roundabout. The roundabout will assist in alleviating traffic congestion and the ability to turn out to Stoney at any point in the day. It takes the service from D and F grades to A and B grades. He reiterated the speed issue is separate from the roundabout.

Councilwoman Swenk stated from the phone calls and emails she received, she thinks they felt the roundabout will make the cut thru traffic and speed worse. Councilwoman Swenk stated she has been trying to work with other Council members to address the speed issues.



Safety-Service Director Armbruster asked Councilwoman Swenk to forward the emails and calls to him so he can address these concerns. He stated that roundabouts are used all over to enhance safety and speed. The City will make certain the roundabout works effectively.

Councilwoman Hung asked if there was an artist's rendering yet.

Engineer Rodriguez stated yes and that he would send it.

Safety-Service Director Armbruster stated he passed along the drawing to the gentleman who requested it. He has not contacted Safety-Service Director Armbruster with any additional questions. He felt this figure eight will enhance safety and speed better than a traffic light.

Councilwoman Swenk stated she agreed something needs done at that intersection.

Councilman Boose stated he had similar concerns when the roundabout was constructed at State Route 83 and Mills. He was against it and voted against it. He stated it was the best thing that could happen at that intersection. Safety issues have been improved. He has also received phone calls but felt that at the end it is a change, but the safety of all residents is a priority.

Clerk of Council Linden:

**T 81-2020** AN ORDINANCE INCREASING SEWER COLLECTION SYSTEM RATES  
AND AMENDING N.R.C.O. SECTION 1044.01 USER CHARGES.

*(Introduced by Mayor Corcoran)*

Moved by Boose and seconded by Winkel to dispense with the third reading for T 81 2020.

Councilman Maleski stated he understood this needed passed but he felt the public needed to hear all three readings regarding the increase in the sewer rate.

President DeVries asked the Mayor to explain why there was an urgency to pass the legislation this evening.

Mayor Corcoran stated the study presentation that was given this evening during Utilities Committee was for a six month collection. It was anticipated that collection would begin July 1 therefore the numbers will need to be rerun to see how the missing month will impact the numbers.

Councilwoman Swenk informed the President he had skipped over T 80-2020.

Moved by Mayor Corcoran and seconded by Boose to amend T 81-2020 to amend Section 1 to reflect the effective date of August 1, 2020 rather than July 1, 2020.

A voice vote was taken and the motion carried.

Yes – 7

No – 0

President DeVries asked for a voice vote on the motion to dispense with the third reading for T 81-2020 Amended.

Councilwoman Hung interrupted and stated to the Chairman he would need a voice vote.

Chairman DeVries reminded Councilwoman Hung that she needed to actually vote her no voice vote and then the Clerk would call the roll if a no vote was heard. Chairman DeVries then asked the Clerk to call the roll.

The motion to dispense with the third reading carried.

Yes – 4

No – 3 (Swenk, Hung, Maleski)

Moved by Boose and seconded by Winkel to adopt T 81-2020 Amended.

Moved by Boose and seconded by Winkel to add the emergency clause to T 81-2020 in order to begin collections on August 1, 2020.

Councilman Boose stated he understood some Council members are apprehensive about increasing the rate. The costs have increased and the City needs to cover those costs. The study that was completed and reviewed in the Utilities Committee meeting early this evening made all the necessary reasons why this increase needs to occur. If it isn't adopted this evening with the emergency, it could result in a higher increase for residents. The ten percent is due to only a five month collection. The rate study has confirmed this is necessary. The City has not increased rates in a several years.

Councilwoman Hung stated she had issues with the fact that the language in Section 2 allows the sewer rate to go up automatically and takes away City Council's review process on rates going up in the future. She noted she had received calls about why water rates increased automatically. She also noted she was just not real happy with the way the legislation was written.

Councilwoman Swenk asked how long the increase had been in effect as far as Avon Lake goes and why the legislation couldn't have three readings.

Mayor Corcoran stated Council reviewed and approved the French Creek wholesale rate increase a few months back. When discussing the automatic increase – when the French Creek wholesale rate increases, which Council has already approved and discussed, the costs are then passed down. The rate has been in effect for Avon and Sheffield since January. The City didn't raise it on the City's end like the other communities. Councilman Boose is discussing how the City is falling behind because the City did not increase it back a few months ago.

Safety-Service Director Armbruster stated the City has already paid the increased four percent since January. Therefore the rates have gone up since then and the City has been taking money out of the reserve to get it there. The other two communities pass the cost along as well to their communities.

Councilwoman Swenk asked why it took so long to increase the rates.

Mayor Corcoran stated there were many things going on. The retail rate should have been raised at the same time as the wholesale rate. Ultimately, the study was not done to raise the projects on the North Ridgeville side. The goal was to raise rates once. The City did not want to raise rates in January and then again at this point. He noted that the ten percent is a high number, but total amount of the ten percent is .52 cents per 100 cubic feet. Between the water and sewer increases that have been reviewed, the total amount is \$2.83 that the rates are going up per month for the average person. Remember the ten percent is based off the sewer rate and not the total bill.

Councilman Winkel stated storm and sewer are always large concerns on his side of town. The infrastructure of sewers costs money to update. Councilman Winkel stated for these reasons, this is why he is in support of this.

On the emergency clause, a roll call vote was taken and the motion carried.

Yes – 5                      No – 2 (Swenk, Hung)

On the adoption, with the emergency clause, a roll call vote was taken and the motion carried. T 81-2020 Amended now becomes **Ordinance No. 5757-2020**.

Yes – 5                      No – 2 (Swenk, Hung)

Clerk of Council Linden:

**T 80-2020**      AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PARTICIPATION AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE PURCHASE OF RECLAMITE ASPHALT REJUVENATOR FROM THE STATE BID LIST OR STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, IN AN AMOUNT NOT TO EXCEED \$100,000.00.

*(Introduced by Mayor Corcoran; First reading 07/06/2020)*

Moved by Mayor Corcoran and seconded by Hung to dispense with the second and third readings for T 80-2020.

Mayor Corcoran stated this was a solution discussed during appropriations and funded at that time.

A voice vote was taken and the motion carried.

Yes – 7                      No – 0

Moved by Mayor Corcoran and seconded by Hung to adopt T 80-2020.

Moved by Mayor Corcoran and seconded by Hung to add the emergency clause to T 80  
2020 in order to get the projects moving forward.

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

Yes – 7                      No – 0

A roll call vote was taken on the adoption, with the emergency clause, and the motion carried. T  
80-2020 now becomes **Ordinance number 5758-2020**.

Yes – 7                      No – 0

Clerk of Council Linden:

**T 82-2020**      AN ORDINANCE AMENDING N.R.C.O. SECTION 1294.01(H) FENCES.

*(Introduced by Mayor Corcoran; First reading 07/06/2020)*

**THIRD READINGS:** None.

**MEETING ANNOUNCEMENTS:**

The next regular Council meeting will be on Monday, August 3, 2020 at 7:30 p.m. in City  
Council Chambers.

**ADJOURNMENT:**

President DeVries adjourned the meeting at 8:24 p.m.

Approval of minutes on August 3, 2020:



PRESIDENT OF COUNCIL



CLERK OF COUNCIL