MINUTES OF RAVENNA CITY COUNCIL MEETING May 7, 2012

The Regular Meeting of Council of the City of Ravenna was called to order at 7:06 P.M., May 7, 2012, by Council President Francis Ricciardi.

A moment of silence was observed. President Ricciardi then led the Pledge of Allegiance.

The following were present on the roll call: Mr. Berry, Mr. Ribelin, Mr. Rainone, Ms. Spencer, Ms. Michael, Mr. Seman and Mr. Ferguson.

Also attending the meeting were: Mayor Joseph Bica; Law Director, Frank Cimino; Finance Director, Kim Cecora; Service Director, Kelly Engelhart; Police Captain Jeff Wallis; City Engineer, Bob Finney; Information Services Director, Bob Wain; Health Commissioner, Joe Fisher; Firefighter, Brad Ryczek; Street Superintendent, Chuck Dowdy; Health Board Member, Lucy Ribelin; Ray Martinez, representing First Energy; Donna Swigart of 528 East Riddle Avenue, Ravenna and Marc Resnik of 1102 East Riddle Avenue, Ravenna and Nick Dudek of 328 North Prospect Street, Ravenna.

MINUTES: A motion was made by Mr. Berry, seconded by Mr. Ribelin to approve the minutes of the Regular city Council Meeting Minutes of March 5, 2012; Special City Council Meeting Minutes of March 19, 2012 and the Regular City Council Meeting Minutes of April 2, 2012. Voice Vote: **All Ayes.**

COMMUNICATIONS: The clerk noted that a thank you note was received from Kimberly Hutson at the Coleman Adult Day Services for the help from the City of Ravenna.

DELEGATIONS: Ray Martinez with First Energy said he wanted to stop by, say hello; he tries to visit on occasion. He thinks most may have received an email he sent out regarding possible storms. It's a process he's going to try to follow going forward when there are major storms. By major, he means there is a potential of power being out for more than a 24 hour period, more like a 48 hour period. It's his intent to communicate as much as possible to elected officials, to at least give them an update as to what is happening. He knows they get a lot of calls from constituents. They also know their own phone lines get bogged down when there are large outages like that. The safety forces working feverishly, could be downed lines, all kinds of things. It is their intent to make sure they have as many as possible accurate emails so that they can receive information either on their computer; obviously, if there is a power outage, hopefully, they are getting it for those who have a smart phone are able to do that. If there is an email they prefer other than the one he sent it to, please let him know that. Also what would be beneficial would be cell phone numbers. If you can get the cell phone number to him, he promises it's not going to be published and will be for his personal use only. But in cases where it is severe and the land lines may be down, the potential for him to get a hold of somebody via cell phone, that would be greatly appreciated.

REPORTS OF OFFICIALS: A motion was made by Mr. Ribelin to approve the reports of officials. The motion was seconded by Mr. Seman. **Voice Vote: All Ayes.**

REPORT OF COMMITTEES:

Utilities: Ms. Spencer said this committee has six items on the agenda. The next meeting will be held Monday, May 14, 2012, time to be announced.

Information Systems: Mr. Berry said this committee has two items on the agenda. He does not foresee a meeting being scheduled at this time.

Planning Committee: Mr. Rainone said this committee has two items for consideration. A meeting is being scheduled for May 14; time to be announced.

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Finance Committee: President Ricciardi said the next Finance Committee meeting is scheduled for May 21, 2012 at 7:00 PM.

Public Health & Public Safety: Mr. Ribelin said this Committee has three items on the agenda. No meeting is scheduled at this time.

Streets & Sidewalks: Mr. Ferguson said this committee had three items on the agenda for consideration. No meeting is scheduled at this time.

Personnel: Ms. Michael said this committee had one item on third reading. A meeting is scheduled on May 21, 2012 at 5:30 PM.

Community & Economic Development: Mr. Seman said this committee has four items on the agenda. The next meeting is scheduled for May 14, 2012 at 5:00 PM.

Cemetery: Seman said there was nothing to report.

Third Reading of Ordinances:

President Ricciardi noted that Mayor Bica has requested Ordinance No. 2012-031 on third reading be sent back to committee for alternative consideration.

Mayor Bica said as he indicated via email to every one today, an offer was received from Family & Community Services to source that through them, in cooperation, again, with the school system to lessen the city's potential liability. They would like to take that back to committee to review the contract and the terms that F&CS has brought forward.

A motion was made by Mr. Seman to send Ordinance No. 2012-031 back to committee. The motion was seconded by Ms. Michael. **Voice Vote: All Ayes.**

First Reading of Ordinances:

ORDINANCE NO. 2012-080: AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR A SURFACE WATER IMPROVEMENT FUND GRANT THROUGH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR USE AT CHESTNUT HILLS PARK, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Rainone said Parks and Rec. has applied for a grant through Surface Water Improvement Fund. The funding will be used for the new parking lot at Chestnut Hills Park.

There being no further comments or questions, Mr. Seman moved to waive the requirement that legislation be read at three separate meetings. Ms. Spencer seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Rainone. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Mr. Ribelin that Ordinance No. 2012-080 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-080 adopted.

ORDINANCE NO. 2012-081: AN ORDINANCE APPROPRIATING THE SUM OF \$21,365.00 FROM THE CAPITAL IMPROVEMENT FUND (65-74) FOR THE PURCHASE AND INSTALLATION OF UTILITY ROCKET DEVICES AND FACTOR AUTHENTICATION SYSTEMS IN THE POLICE PATROL VEHICLES, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Berry said the current MDT was scheduled to be replaced in 2013 but there is some new technology out there that would beneficial right now to those concerned.

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There being no further comments or questions, Mr. Seman moved to waive the requirement that legislation be read at three separate meetings. Mr. Ribelin seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Ribelin, seconded by Mr. Seman that Ordinance No. 2012-081 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-081 adopted.

ORDINANCE NO. 2012-082: AN ORDINANCE APPROPRIATING THE SUM OF \$22,324.72 FOR THE PURCHASE OF TACTICAL RESPONSE EQUIPMENT FOR THE POLICE DEPARTMENT, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Ribelin said the Police Department came to Committee requesting a purchase of tactical response equipment including Kevlar helmets, vests and M-16 rifles which would be used in each of the patrol cars. He thinks it is a good purchase due to the number of violent crimes being committed in the country and in this area. They also want to make the police officers better equipped and more safe.

There being no further comments or questions, Mr. Berry moved to waive the requirement that legislation be read at three separate meetings. Mr. Ribelin seconded the motion. **Vote: All Ayes.** Mr. Ribelin moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Rainone. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-082 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-082 adopted.

ORDINANCE NO. 2012-083: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF RAVENNA – PART TWO – <u>ADMINISTRATION CODE</u>; TITLE TWO – <u>GENERAL PROVISIONS</u>; CHAPTER 244 – <u>FIRE DEPARTMENT</u>, BY REPEALING SECTION 244.06 – FUND FOR REMOVAL, REPAIRING OR SECURING OF FIRE <u>DAMAGED BUILDINGS</u>, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Ribelin said this will change the ordinance having the fire department take care of escrow funds on some of these buildings and would switch that responsibility to the building department.

Mr. Finney said this, along with Ordinance No. 2012-084.

There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Mr. Berry seconded the motion. **Vote: All Ayes.** Ms. Spencer moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Berry. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Michael that Ordinance No. 2012-083 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-083 adopted.

ORDINANCE NO. 2012-084: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF RAVENNA, PART FOURTEEN – <u>BUILDING AND HOUSING CODE</u>; TITLE FOUR – <u>BUILDING ADMINISTRATION</u>; CHAPTER 1410 – <u>ADMINISTRATION AND BUILDING REGULATIONS</u>, BY ADDING A NEW SECTION 1410.08 – FUND FOR REMOVAL, REPAIRING OR SECURING OF FIRE DAMAGED BUILDING, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Ribelin noted this is a companion ordinance to 2012-083.

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There being no further comments or questions, Mr. Seman moved to waive the requirement that legislation be read at three separate meetings. Ms. Spencer seconded the motion. **Vote: All Ayes.** Mr. Ribelin moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Berry. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-084 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-084 adopted.

ORDINANCE NO. 2012-085: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PARKER HANNIFIN FOR A JOB CREATION TAX CREDIT, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Seman said he knows this is a really great thing that Parker-Hannifin has decided to add this unit in Ravenna. There was competition from other states. The only hang up on the tax credit agreement was a difference between the state language and what the city wanted to see. He will let Mr. Cecora speak to the difference in these contracts.

Mr. Cecora said that the version is the format Parker preferred. He, Mr. Cimino and Ms. Macomber went over this with the gentlemen from Parker-Hannifin. At that time, he expressed the desire to use a different format. The content remains the same. They are what was agreed upon. It's just a format change.

Mr. Cimino noted that he did have an opportunity to review it. There was a telephone conference and they went over it. The Parker-Hannifin Law Department reviewed it after that and made some changes but they were not of any concern. It was more form than substance.

Mr. Dudek asked if the city will be getting less in income tax.

Mr. Seman explained that they won't be receiving the income tax from the new employees. They aren't getting it now. It was an enticement to get them and keep them here. They will be getting that as a tax credit. There isn't really going to be an exchange of money. It would come off of what they would normally pay. It was an added incentive to get this deal to go through and it will pay off in dividends after the five year period is over.

Mr. Cecora said that it won't impact the city's receipts in terms of employee withholding. However, based on that employee withholding, the new employees coming on board, a credit has been formulated against their net profit tax. It won't directly impact the city receipts from payroll taxes.

There being no further comments or questions, Mr. Berry moved to waive the requirement that legislation be read at three separate meetings. Ms. Spencer seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Ribelin. **Vote: All Ayes.** A motion was made by Ms. Spencer, seconded by Mr. Seman that Ordinance No. 2012-085 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-085 adopted.

ORDINANCE NO. 2012-086: AN ORDINANCE APPROPRIATING THE SUM OF \$2,500.00 FROM THE GENERAL FUND FOR 2012 PORTAGE DEVELOPMENT BOARD ANNUAL MEMBERSHIP FEES, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Seman said there are benefits from belonging to the Portage Development Board. They are becoming much more active than in the past with their new management and the gentleman they've got working with this. They are a force that the city needs to work with for the growth of economic development. They think about it regionally. They celebrate businesses that weren't in the city but in the township but they hire people who live in the city. They would have them in the city if the city had a location that they could have used. This is another case where the development board works with the city to land some of these things and they need to join.

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There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Mr. Berry seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Ribelin, seconded by Mr. Seman that Ordinance No. 2012-086 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-086 adopted.

ORDINANCE NO. 2012-087: AN ORDINANCE AUTHORIZING NEIGHBORHOOD DEVELOPMENT SERVICES (NDS) TO REMOVE ALL LOANS PAYABLE FROM CHEROKEE GLASS FROM THE REVOLVING LOAN FUNDS AND FORGIVE ANY BALANCE DUE ON THE NOTE FOR STORM DRAINAGE WORK, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Seman said that this was a thriving business that was doing well. The gentleman who owned the place got sick and died in a very short period of time and the whole thing collapsed when he passed away. The city had a number of loans, which are revolving loan funds; they are not funds that came out of general money or anything. These are recovered monies from other economic development loans that are paid back. What that does is that the city won't get that money back to lend out again to the next guy. There is still money in there and it doesn't cripple them in terms of being able to function but they are to the point where they need to be cleared off the books one way or the other. The place was sold at sheriff's sale and, of course, it didn't bring in anywhere near what was owed, not just to the city, but to the bank and other people. Everybody took a bath on this and the city is always last on the totem pole to get funds. This time they need to remove it from the books for auditing sake. They don't like to see this stuff carried over time and time again. They need to account for it by writing it off the books.

President Ricciardi asked if, by writing this off, this puts the city in a better position down the road.

Mr. Seman said there are still funds in these revolvers. They can go to the state with economic development money and apply for additional funds. The present government is pretty good about wanting to help economic development. If it's anything for business, they are right there.

There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Ms. Spencer seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Mr. Ribelin that Ordinance No. 2012-087 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-087 adopted.

ORDINANCE NO. 2012-088: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR, BIDS, ACCORDING TO LAW, FOR THE FAIRGROUNDS PROJECT, ACCORDING TO SPECIFICATIONS NOW ON FILE IN THE MAYOR'S OFFICE, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Seman said this is the project applied for special funds available. They tried to get one financed about three years ago, around Brown Middle School, Zeta Street and Oakgrove. The application was denied because it didn't encompass enough of an area. When the chance to reapply came up, Mr. Finney in working with NDS, put in an area that encompassed Bryn Mawr out to Coe Road which was a large project. It is for infrastructure for the most part. They're going to be doing a good bit of work in the Fairgrounds itself to help with water flow, sewage, roads. This is a half million dollar grant. What they need to do now is get it bid so they can get on to the project as quickly as possible while the weather is still available.

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There being no further comments or questions, Mr. Berry moved to waive the requirement that legislation be read at three separate meetings. Mr. Ribelin seconded the motion. **Vote: All Ayes.** Mr. Ribelin moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Seman. **Vote: All Ayes.** A motion was made by Ms. Spencer, seconded by Mr. Seman that Ordinance No. 2012-088 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-088 adopted.

ORDINANCE NO. 2012-089: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF RAVENNA, TITLE EIGHT - <u>PARKING</u>; CHAPTER 452 - <u>PARKING GENERALLY</u>; SECTION 452.20 - <u>PROHIBITED AND RESTRICTED PARKING AREAS</u>; SUBSECTION (A) BY ADDING AVON COURT AS A PROHIBITED PARKING AREA, was read for the first time, by title only.

Mr. Ferguson said this is an extremely narrow street. Parking on it has just complicated things with the flow of traffic and the ability to get in an out of driveways. It has the potential of hampering any emergency vehicles that might need to go down there. It's just doing what has to be done to make it a safe street. This is scheduled for a public hearing on June 4 at 6:45.

ORDINANCE NO. 2012-090: AN ORDINANCE AMENDING ORDINANCE NO. 2011-230 BY AMENDING EXHIBIT "A" SECTION III – SERVICE DEPARTMENT; SUBSECTION (B1) STREET DEPARTMENT, BY REMOVING THE MAINTENANCE ELECTRICIAN POSITION, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Engelhart said this is to remove the city electrician as an employee of the city from the payroll ordinance. The next two are entering into contracts with both of his companies. One is Portage Plant Maintenance which would be doing the Streetscape and the other is Rummel Electric. This will be effective June 1.

Mr. Dudek asked the reason behind this.

Ms. Engelhart said the city electrician currently has his own business. They're having a difficult time getting the work done that needs to be done because he can only do it after his business hours and on weekends with the workload. If they can enter into a contract with his companies, he can bring additional resources to the job and have five or six people working within the city rather than just him trying to get the work done. It's really a mechanism to try to expedite the work.

There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Ms. Michael seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Michael. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-090 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-090 adopted.

ORDINANCE NO. 2012-091: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH RUMMEL ELECTRIC, INC. TO PROVIDE ELECTRICAL SERVICES TO THE CITY, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Michael said this is a companion ordinance with the previous one.

There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Mr. Seman seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-091 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-091 adopted.

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ORDINANCE NO. 2012-092: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH PORTAGE PLANT MAINTENANCE, INC. TO PROVIDE MAINTENANCE SERVICES TO FOR STREETSCAPE LIGHTING, APPROPRIATING THE SUM OF \$4,500.00 FROM THE CAPITAL IMPROVEMENT FUND TO PAY THE CONTRACT FOR THE YEAR 2012, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Michael said this is a companion to the two previous ordinances.

Ms. Engelhart said there are two separate contracts. One is with Rummel Electric for an hourly rate for his company. This one is with Portage Plant Maintenance which is a reduced rate for just the streetscape services.

President Ricciardi noted that this is an offshoot of Mr. Rummel's electric business as well.

There being no further comments or questions, Mr. Seman moved to waive the requirement that legislation be read at three separate meetings. Ms. Spencer seconded the motion. **Vote: All Ayes.** Mr. Ribelin moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Seman. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-092 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-092 adopted.

ORDINANCE NO. 2012-093: AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR, BIDS, ACCORDING TO LAW, FOR THE PAINTING AND REPAIRS TO THE TONTIMONIA CITY PARK WATER TOWER, ACCORDING TO SPECIFICATIONS NOW ON FILE IN THE MAYOR'S OFFICE, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Spencer said this has been a long time coming. Minor repairs need to be made to the tower as well as getting it painted to make it look presentable for people coming into the city.

There being no further comments or questions, Mr. Seman moved to waive the requirement that legislation be read at three separate meetings. Ms. Spencer seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Ribelin. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-093 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-093 adopted.

ORDINANCE NO. 2012-094: AN ORDINANCE REDUCING THE APPROPRIATION WITHIN THE WATER FUND, IN GAC FILTERS BY THE SUM OF \$50,000.00 AND INCREASING THE APPROPRIATION WITHIN THE WATER FUND, IN GE STANDPIPE RECIRCULATION PUMP BY THE SUM OF \$50,000.00, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Spencer said this pump is necessary for the efficient operation of the water tower. The actual cost of the pump and installation has exceeded the amount that was budgeted so they are coming back to ask for an additional appropriation to pay for this project.

Ms. Engelhart said it's putting a recirculation pump into the GE tower so it actually helps with the water supply.

There being no further comments or questions, Mr. Berry moved to waive the requirement that legislation be read at three separate meetings. Mr. Seman seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Ribelin. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-094 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-094 adopted.

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ORDINANCE NO. 2012-095: AN ORDINANCE APPROPRIATING THE SUM OF \$500.00 FROM THE WATER FUND (670) AND THE SUM OF \$500.00 FROM THE SEWER FUND (677) FOR THE PURCHASE OF SIGNS IN FRONT OF THE WATER PLANT AND THE SEWER PLANT, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Spencer said this will allow them to standardize the signs so that all the signs in the city will match up. They will also be taking the sign off the little telephone pole that is just pointing the way. Now there will be nice, clean signs in front of the facilities.

Ms. Engelhart said the new signs are up in front of both the plant locations.

There being no further comments or questions, Mr. Seman moved to waive the requirement that legislation be read at three separate meetings. Mr. Ribelin seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-095 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-095 adopted.

ORDINANCE NO. 2012-096: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MX ENERGY, INC. FOR THE CITY OF RAVENNA NATURAL GAS PROGRAM FOR THE PERIOD OF OCTOBER, 2012 THROUGH SEPTEMBER, 2013, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Engelhart asked that the legislation be withdrawn, noting that next week, they will be bringing back to committee another proposal. Direct Energy has come back with a lower price than anticipated. The contract will be presented at that time.

Mr. Dudek asked if these contracts with any of the outside gas companies, other than Dominon, are fixed. Is it the city's history and policy to enter into fixed agreements vs. taking the Dominion variable rate.

Ms. Engelhart said they usually rely on the broker to help with that. They have been trying to get a fixed rate so that when people enter into the contracts, they know what they're gas rates are going to be rather than a variable rate. Then it could be going up and down.

Mr. Dudek noted this is for the citywide aggregate and asked what about the city's gas supplier; do they enter into agreements on a variable basis.

Ms. Engelhart said the city is part of the aggregation as well. They tried to get fixed rates.

Mr. Dudek asked if it would be more feasible at this point in time to take the variable rate since it is so low.

Mr. Ricciardi said they can opt out of the plan any time they want. If they find a provider with a lower rate, they can cancel it.

Mr. Dudek said he doesn't mean himself personally, he means the city and its facilities.

Mr. Finney said that's what the broker does for the city. He advises them what they believe is the best way to go.

ORDINANCE NO. 2012-097: AN ORDINANCE APPROPRIATING THE SUM OF \$12,000.00 FROM THE WATER FUND (670) TO REPAIR THE WATER LINE BREAK ON PECK ROAD, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

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Ms. Spencer said the bottom line is the water line is broken and needs to be repaired.

Ms. Engelhart said that the city can't do it themselves because the line runs underneath the road.

There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Mr. Berry seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Mr. Ribelin that Ordinance No. 2012-097 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-097 adopted.

ORDINANCE NO. 2012-098: AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH ENVIRONMENTAL REMEDIATION CONTRACTORS FOR STORM DRAINAGE IMPROVEMENTS AT THE CITY GARAGE, APPROPRIATING THE SUM OF \$5,000.00 FROM THE STREET CAPITAL IMPROVEMENT FUND (553) FOR THE COMPLETION OF THE PROJECT, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Spencer said they need to be able to reroute these drains to the oil and grease separator and into the sanitary system. This \$5,000.00 is a contingency for the project.

There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Mr. Seman seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-098 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-098 adopted.

ORDINANCE NO. 2012-099: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF RAVENNA, TITLE EIGHT - <u>PARKING</u>; CHAPTER 452 - <u>PARKING GENERALLY</u>; SECTION 452.20 - <u>PROHIBITED AND RESTRICTED PARKING AREAS</u>; BY AMENDING SUBSECTION (d) BY CHANGING THE EXPRESS PARKING LANGUAGE TO DEFINE CURRENT PRACTICES, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Ms. Engelhart said this is the express parking in front of the hot dog shop on Chestnut Street. This adds the two express parking, 30 minute spaces.

There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Mr. Seman seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Ribelin, seconded by Ms. Seman that Ordinance No. 2012-099 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-099 adopted.

ORDINANCE NO. 2012-100: AN ORDINANCE APPROVING THE ADVANCES, APPROPRIATIONS TRANSFERS AND FUND TRANSFERS FOR THE MONTH OF MARCH, 2012 LISTED ON EXHIBIT "A" ATTACHED HERETO, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Cecora said advances constitute grant activity. There was one interdepartmental fund transfer in the water fund.

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There being no further comments or questions, Ms. Michael moved to waive the requirement that legislation be read at three separate meetings. Mr. Berry seconded the motion. **Vote: All Ayes.** Mr. Ribelin moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Seman. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-100 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-100 adopted.

ORDINANCE NO. 2012-101: AN ORDINANCE RECORDING ESTIMATED REVENUES AND APPROPRIATION AMOUNTS ILLUSTRATED ON EXHIBIT "A" ATTACHED HERETO, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Cecora said money was receipted in for the Honeywell Energy Conservation project last week. This is the housekeeping that puts it on the books and allows them to record those proceeds and to spend the money.

There being no further comments or questions, Mr. Berry moved to waive the requirement that legislation be read at three separate meetings. Mr. Ribelin seconded the motion. **Vote: All Ayes.** Mr. Seman moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Ms. Spencer. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Michael that Ordinance No. 2012-101 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-101 adopted.

ORDINANCE NO. 2012-102: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF RAVENNA, PART FOUR – TRAFFIC CODE; TITLE TWO – ADMINISTRATION, ENFORCEMENT AND PENALTIES; CHAPTER 406 – TRAFFIC CONTROL; BY ADDING A NEW SECTION 406.08 – NO THRU TRUCKS, AND MOVING THE EXISTING SECTION 406.08 TO SECTION 406.10, AND DECLARING AN EMERGENCY, was read for the first time, by title only.

Mr. Ferguson said there is a potential for damage on West Harris when trucks drive through there and this gives the police department the ability to cite any truck drivers who don't obey the signs.

Ms. Engelhart said the road is being eroded and it's effecting the sidewalk at the corner of Sycamore and West Harris. There was new sidewalk poured and the trucks are cutting it off. It's eroding the dirt underneath the sidewalk. Soon the sidewalk will collapse.

Mr. Finney said they had to replace a power pole out there recently because it keeps getting clipped. If it weren't for the power pole, the trucks would tip over because they go up on the sidewalk. It could be self-regulating.

The clerk noted this is new legislation for "no thru trucks". This is including West Harris but in the future an inventory will be taken and more streets will be added.

There being no further comments or questions, Mr. Ribelin moved to waive the requirement that legislation be read at three separate meetings. Mr. Ferguson seconded the motion. **Vote: All Ayes.** Ms. Michael moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Seman. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-102 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-102 adopted.

ORDINANCE NO. 2012-103: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF RAVENNA, PART FOURTEEN — <u>BUILDING AND HOUSING CODE</u>; TITLE EIGHT — <u>HOUSING AND PROPERTY MAINTENANCE CODE</u>; BY ADDING A NEW CHAPTER 1468 — <u>CLANDESTINE LABS</u>, was read for the first time, by title only.

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Mr. Ribelin said this has to do with placing the responsibility of property clean up for meth labs on the property owners rather than the city.

There being no further comments or questions, Mr. Berry moved to waive the requirement that legislation be read at three separate meetings. Ms. Spencer seconded the motion. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-103 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-103 adopted.

Second Reading of Ordinances:

ORDINANCE NO. 2012-063: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF RAVENNA, PART 12 – PLANNING AND ZONING CODE – TITLE SIX – ZONING; CHAPTER 1266 – DISTRICTS GENERALLY AND ZONING MAP, SECTION 1266.03 – ZONING MAP BY REZONING 15.073 ACRES OF PROPERTY NORTH OF ENTERPRISE PARKWAY, FROM A C-2 (COMMERCIAL DISTRICT) TO AN I-1 (INDUSTRIAL DISTRICT), was read for the second time, by title only.

President Ricciardi noted this was the subject of the public hearing earlier in the evening.

ORDINANCE NO. 2012-066: AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF RAVENNA, PART TWO - <u>ADMINISTRATION CODE</u>; TITLE SIX - <u>ADMINISTRATION</u>; CHAPTER 278 - <u>BOARD OF HEALTH</u>; SECTION 278.02 – <u>INSPECTION OF POOLS AND SPAS</u>, BY AMENDING THE RAVENNA CITY BOARD OF HEALTH POOL AND SPA INSPECTION FEES, AND DECLARING AN EMERGENCY, was read for the second time, by title only.

Mr. Ribelin said the pool owners already paid their fees for the year. A public hearing was held on this legislation last week.

Ms. Engelhart said no one from the public attended the public hearing and every one has paid their pool inspection fees.

There being no further comments or questions, Mr. Seman moved to waive the requirement that legislation be read at three separate meetings. Mr. Ribelin seconded the motion. **Vote: All Ayes.** Mr. Ribelin moved to approve this Ordinance as an emergency measure for the reason set forth in the Ordinance. The motion was seconded by Mr. Seman. **Vote: All Ayes.** A motion was made by Mr. Seman, seconded by Ms. Spencer that Ordinance No. 2012-066 be adopted. **Vote: All Ayes.** The President of Council declared Ordinance 2012-066 adopted.

Old Business: Mr. Seman said there have been a lot of questions regarding the spring cleanup. He understands there has been a change in the game plan.

Ms. Engelhart said there were some issues getting enough refuse haulers to bid on this. There was only one company that bid it and they put in an alternative bid. The community cleanup will be held over two different weeks for five days in each of the two wards. Wards 2 and 4 will be the first week, Monday through Friday. Wards 1 and 3 will be held the second week, Monday through Friday. They found out this has to do with the landfills. There are a limited number of landfills and when they are open and available to accept refuse. The residents can put their stuff out any time during that week. On Friday, they will come back and recirculate through each of the wards. The press release went out today.

New Business: Mr. Ribelin asked if there is a water line break on Summit Street at the top of the hill. There is a big sink hole and there is a barricade there. That sink hole has been there for a very long time.

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Mr. Finney said Denny Dillon was in his office exploring that this morning. He doesn't know where they stand on it but he was looking at utility information. They believe it's an old storm pipe that's not on the maps. They found something on a map dated like 1928.

Mayor's Remarks: Mayor Bica said that if any one needs additional information on anything, please feel free to stop by his office and he'll make himself available.

President Ricciardi said the mayor has been good enough to stay in touch with him and they've been having lunch on a monthly basis. He will try to continue to get those cliff notes on what they talk about.

A motion was made by Mr. Ribelin at 8:10 PM to go into **Executive Session** to discuss pending litigation. The motion was seconded by Mr. Berry. **Vote: All Ayes.**

At 8:35 PM, a motion was made by Mr. Ribelin, seconded by Mr. Berry to **adjourn Executive Session. Vote: All Ayes.**

There being no further business, the meeting adjourned at 8:00 P.M. The next Regular Council Meeting is scheduled for Monday, June 4, 2012 at 7:00 P.M.

| ATTEST: | |
|------------------|----------------------|
| | |
| Kathryn M. Hann | Francis M. Ricciardi |
| Clerk of Council | President of Council |