



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 12.04.2013

The City of North Ridgeville Legislative Bulletin contains Ordinances and Resolutions acted upon by City Council. If noted within Ordinance or Resolution text, supplemental and supporting documents, such as exhibits, are available, upon request, by contacting Tara L. Peet, CMC at the Clerk of Council's office, 7307 Avon Belden Road, North Ridgeville, OH 44039, (440) 353.1508.

ORDINANCES

(The following Ordinances were passed by City Council on December 2, 2013)

5091-2013 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 PLANS AND SPECIFICATIONS FOR THE SAFE ROUTES TO SCHOOL INFRASTRUCTURE DESIGN PROJECT INCLUDING APPURTENANCES, NOT TO EXCEED \$50,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville SRTS Infrastructure Projects at and in the vicinity of the Liberty Elementary School, Wilcox Elementary School and Lear North Elementary School have received federal funding through ODOT for construction of sidewalks, crosswalks, and traffic control signage; and

WHEREAS, the City's share of the \$426,000.00 total estimated engineering and construction cost is \$50,000.00 to be used for the engineering services for plans and specifications.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to enter into a contract according to law and in a manner prescribed by law with a consulting engineering firm for plans, specifications, bidding documents and construction phase services for the Safe Routes to School Infrastructure Design Project and other appurtenances in an amount not to exceed \$50,000.00.

SECTION 2. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Ordinance number 5091 (continued)

SECTION 3. That this Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to meet the deadlines of this project. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5092-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE OR HIS DESIGNEE TO PUBLICLY ADVERTISE, RECEIVE BIDS, AND SELL TO THE HIGHEST BIDDER A 1998 E-ONE 75-FOOT AERIAL LADDER TRUCK AND DECLARING AN EMERGENCY.

WHEREAS, the following City-owned equipment no longer serves a municipal purpose: 1998 E-One 75-foot aerial ladder truck; and

WHEREAS, the Fire Chief and the City Administration believe it would improve the efficiency and operations of the City Fire Department to apply the funds derived from the sale of the 1998 ladder truck to the purchase of a new fire engine.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. The Mayor is hereby authorized to advertise for bids for the sale of a 1998 E-One 75-foot aerial ladder truck and enter into a contract with the highest bidder.

SECTION 2. Following public advertising as prescribed by State law, the services of a fire equipment broker may be engaged for the purpose of obtaining the highest purchase price.

SECTION 3. The brokerage fee consisting of a commission of 7% of the purchase price received shall be considered in the quantitative evaluation of the highest bid.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. That this Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to get the highest price for this piece of equipment in a timely fashion. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5093-2013

**PID NO. 93694; PROJECT NAME: LOR IR 0480 TURNPIKE NOISEWALLS
AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO
DEPARTMENT OF TRANSPORTATION TO BUILD NOISE BARRIERS ON THE
NORTH SIDES OF THE EASTBOUND AND WESTBOUND RAMPS OF INTERSTATE
480 TO THE TOLL PLAZA FOR THE OHIO TURNPIKE WITHIN THE CITY OF
NORTH RIDGEVILLE.**

WHEREAS, in the opinion of Council, and upon the recommendation of the Ohio Department of Transportation, it would be conducive to the public welfare and safety of the motoring public to build noise barriers on the north sides of the eastbound and westbound ramps of Interstate 480 to the toll plaza for the Ohio Turnpike within the City of North Ridgeville, Lorain County, Ohio; and

WHEREAS, upon passage of this Ordinance, the Clerk of Council shall return two (2) signature copies to Toriene Johnson, AP 4, Planning & Engineering Department, Ohio Department of Transportation, District 3, 906 Clark Avenue, Ashland, OH 44805.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1 – Project Description

The State has identified the need for the described project:

The purpose of this project is to build noise barriers on the north sides of the eastbound and westbound ramps of Interstate 480 to the toll plaza for the Ohio Turnpike within the City of North Ridgeville, Lorain County, Ohio. The barrier wall on the west side of the plaza will average ten (10) feet in height and will be six hundred (600) feet in length. The noise barrier wall on the east side of the plaza will average ten (10) feet in height and will be four hundred and thirty (430) feet in length.

The entire scope of work for this project is within the City.

This project is currently scheduled for the 2014 construction season.

SECTION II – Consent Statement

Being in the public interest, the City gives consent to the Director of Transportation to complete the above described project.

SECTION III – Cooperation Statement

The City shall cooperate with the Director of Transportation in the above described project as follows:

- 1) *The City gives consent for the above improvement,*
- 2) *No funds are required from the City except that the City agrees to assume and bear one hundred percent (100%) of the total cost for added construction items requested by the City and not necessary for the improvement as determined by the State and the Federal Highway Administration.*

SECTION IV – Maintenance

Ordinance number 5093 (continued)

The City will maintain the right-of-way and keep it free of obstructions, and hold said right-of-way inviolate for public highway purposes.

SECTION V – Authority to Sign

The Mayor of said City of North Ridgeville is hereby empowered on behalf of the City of North Ridgeville to enter into contracts with the Director of Transportation necessary to complete the above described project.

SECTION VI – Legal Requirements

It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION VII – Effective Date

This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

**5094-2013 PID NO. 89832; PROJECT NAME: D03 RM FY2014
IN COOPERATION WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF
TRANSPORTATION, ORDINANCE NO. 5071-2013 NEEDS TO BE AMENDED BY
REVISING THE DESCRIPTION OF PROJECT D03 RM FY2014.**

WHEREAS, Section I of Ordinance No. 5071-2013 describing Project D03 RM FY2014 is incorrect and needs to be amended. It currently states:

The State has identified the need for the described project:

To perform reactive maintenance pavement repairs on the I-480 westbound off ramp to the Ohio Turnpike. The rumble strip pads will also be removed from this ramp location. The ramp is located within the City.

This project is currently scheduled for the spring 2014 construction season.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1: Section I of Ordinance No. 5071-2013 shall be amended to read as follows:

SECTION I – Project Description

The State has identified the need for the described project:

To perform reactive maintenance pavement repairs, plane 1.75” and pave 1.75” in depth on the I-480 westbound off ramp to the Ohio Turnpike. The two concrete rumble strip pads will be removed from this ramp location and new asphalt rumble strips will be installed from the Chestnut Ridge Rd Bridge to the concrete approach pavement to the Ohio Turnpike. The ramp is located within the City.

Ordinance number 5094 (continued)

This project is currently scheduled to be completed during the 2014 construction season.

SECTION 2: All other sections, terms and provisions of Ordinance No. 5071-2013 not specifically amended by this amending ordinance shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

5095-2013 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE NEW COMPUTERS, LAPTOPS, AND APPURTENANCES FOR CITY DEPARTMENTS 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, NOT TO EXCEED \$99,160.00 AND DECLARING AN EMERGENCY.

WHEREAS, Windows XP is the current operating system for City computers; and

WHEREAS, Microsoft will no longer support Windows XP starting in April 2014; and

WHEREAS, many of the City's computers currently being used are outdated and not capable of being upgraded; and

WHEREAS, City Council has approved funds for the purchase of 61 new computers, 6 laptops, and appurtenances for City departments that will operate with Windows 7 and Microsoft Office 2010.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. The Mayor is hereby authorized to enter into a contract for the purchase of 61 new computers, 6 new laptops, and appurtenances for City departments from the State Bid List or State Co-Op, or to advertise for bids according to law and in a manner prescribed by law and enter into a contract with the lowest and best bidder, not to exceed \$99,160.00.

SECTION 2. The cost of said computers, laptops, and appurtenances shall be charged to and paid from the appropriate City funds.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Ordinance number 5095 (continued)

SECTION 4. That this Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to get this into the 2013 budget. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

RESOLUTIONS

(The following Resolutions were passed by City Council on December 2, 2013)

1291-2013 A RESOLUTION AMENDING RESOLUTION NUMBER 1288-2013 TO CORRECT A TYPOGRAPHICAL ERROR REGARDING THE LEVY FOR RENEWAL TAX FOR THE LIBRARY SYSTEM AND DECLARING AN EMERGENCY.
(R.C. Sections 5705.03, 5705.19(D), 5705.25) Renewal Public Library Operating Levy

WHEREAS, there exists a typographical error in the fourth “Whereas” of Resolution number 1288-2013 which requires amendment in order to correctly describe the nature of the levy renewal. It currently states:

“a Resolution declaring the necessity of levying *an additional tax* outside the ten-mill limitation must be passed and certified to the County Auditor of Lorain County in order to permit the City to consider the levy of such a renewal tax and must request that the County Auditor certify to the City the total current tax valuation of the City and the dollar amount of revenue that would be generated by the renewal tax levy;”

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO THAT:

SECTION 1: The fourth “Whereas” of Resolution number 1288-2013 shall be amended to read as follows:

“a Resolution declaring the necessity of levying *a renewal tax* outside the ten-mill limitation must be passed and certified to the County Auditor of Lorain County in order to permit the City to consider the levy of such a renewal tax and must request that the County Auditor certify to the City the total current tax valuation of the City and the dollar amount of revenue that would be generated by the renewal tax levy;”

SECTION 2: All other sections, terms and provisions of Resolution No. 1288-2013 not specifically amended by this amending Resolution shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity to meet the library deadlines. WHEREFORE, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1292-2013 A RESOLUTION SUPPORTING THE PRESERVATION OF CUSTOMER CHOICE THROUGH GOVERNMENTAL OPT-OUT ELECTRIC AGGREGATION.

WHEREAS, under Section 4929.26 of the Ohio Revised Code, the City of North Ridgeville has established a governmental opt-out electric aggregation program with the Northeast Ohio Public Energy Council (“NOPEC”) for the benefit of eligible electric consumers located within the City; and

WHEREAS, governmental opt-out electric aggregation has provided an opportunity for electric consumers collectively to participate in the benefits of electric deregulation through lower electric rates which they would not have individually; and

WHEREAS, governmental opt-out electric aggregation has been widely recognized, both in Ohio and nationally, as being successful in bringing substantial savings benefits to residential and small business customers; and

WHEREAS, governmental opt-out aggregation has been recognized as the “jewel” of Ohio electric deregulation; and

WHEREAS, electric aggregations like NOPEC has accounted for over eighty percent (80%) of customer switches in the State of Ohio; and

WHEREAS, NOPEC has saved its customers over \$175 million since 2001; and

WHEREAS, NOPEC has saved its residents a seven percent (7%) price break and its small business customers a five (5%) price break on the electric prices to compare for electric generation; and

WHEREAS, NOPEC has awarded over three hundred (300) energy efficiency grants totaling \$15,864,800, providing at least \$50,000 per member community, through the “Powering our Communities” Grant Program that has saved NOPEC member communities millions of dollars in annual electricity costs; and

WHEREAS, the City of North Ridgeville strongly supports the preservation of customer choice for the benefit of the residents of the City through the continuation and improvement of governmental opt-out electric aggregation.

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO, THAT:

SECTION 1. The Council and City Administration of the City of North Ridgeville strongly support NOPEC’s efforts to preserve customer choice through governmental opt-out electric aggregation.

SECTION 2. The Council and City Administration of the City of North Ridgeville strongly urge the Ohio General Assembly, the Public Utility Council of Ohio and Ohio’s Leaders to support, preserve and enhance governmental opt-out electric aggregation.

Resolution number 1292 (continued)

SECTION 3. Upon passage of this Resolution, the Clerk of Council shall forward a copy of this Resolution to Megan Zemke (mzemke@nopecinfo.org) or Leigh Herington (lherington@nopecinfo.org).

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

CITY COUNCIL MEETING DATES FOR 2014

January 6, 2014	January 21, 2014	February 8, 2014
February 18, 2014	March 3, 2014	March 17, 2014
April 7, 2014	April 21, 2014	May 5, 2014
May 19, 2014	June 2, 2014	June 16, 2014
July 7, 2014	July 21, 2014	August 4, 2014
August 18, 2014	September 2, 2014	September 15, 2014
October 6, 2014	October 20, 2014	November 3, 2014
November 17, 2014	December 1, 2014	December 15, 2014

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