



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 05.01.2017

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, MMC at the Clerk of Council's office, 7307 Avon Belden Road, North Ridgeville, OH 44039, (440) 353.1508.

ORDINANCE(S)

5446-2017 AN ORDINANCE ESTABLISHING THE CENTER RIDGE ROAD WIDENING FUND AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville has been awarded grants from ODOT and NOACA for the Center Road Widening Project; and

WHEREAS, the City of North Ridgeville will also issue bond anticipation notes to provide the necessary resources to fund the City's portion of the project; and

WHEREAS, in accordance with Section 5705.09 (C) and (F) of the Ohio Revised Code, the City must establish a separate fund to account for the grant proceeds and related expenditures.

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

SECTION 1. There is hereby established the "*Center Ridge Road Widening Fund*" to account for the grant proceeds, debt, and related expenditures.

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 §121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to establish proper accounting procedures. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5447-2017 AN ORDINANCE AMENDING ORDINANCE NUMBER 5427-2017 OF THE CITY OF NORTH RIDGEVILLE, OHIO, FOR THE PERIOD COMMENCING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend the appropriations for certain funds and appropriate other amounts for the operations of the City of North Ridgeville, Ohio.

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

SECTION 1. That to provide for current and other expenditures for the City of North Ridgeville, Ohio for the period commencing January 1, 2017 and ending December 31, 2017, Ordinance No. 5427-2017 be and the same are hereby amended in the following amounts so that from and after the effective date of the Ordinance, the appropriation Ordinance shall include the following, being adjusted for the similar terms in the preceding appropriation Ordinance.

SECTION 2. That there be appropriated from the respective funds listed below, the total sums as follows:

Fund/Department	Personal Services	Other	Total
<u>Capital Projects Fund</u>			
Turnpike Mitigation Project	\$0	\$355,000	\$355,000
<u>Center Ridge Road Widening Fund</u>	0	3,000,000	3,000,000
<u>DUI Enforcement and Education</u>	0	20,000	20,000

SECTION 3. That the Auditor of the City of North Ridgeville is hereby authorized to draw warrants on the Treasury of the City of North Ridgeville for payments on any of the foregoing appropriations, upon receiving proper certification and vouchers therefore, approved by officers authorized by law to approve the same or by an ordinance or resolution of Council to make the expenditure and provide that no warrants may be drawn or paid for salaries or wages, except to persons employed by authority of or in accordance with law or Ordinance.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were 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.

SECTION 5. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to meet the necessary expenditures. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5448-2017 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO RETAIN SQUIRE PATTON BOGGS (US), LLP FOR LEGAL SERVICES IN CONNECTION WITH THE RIDDELL PROJECT AND BOND COUNSEL, NOT TO EXCEED \$200,000.00 FOR THE YEAR 2017 AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville, Ohio employs consultants to provide professional and legal services; and

WHEREAS, Ordinance No. 3780-2002 established a procedure for the hiring or contracting of outside legal and professional services; it also established the City would follow state code as to the amount that could be expended without legislation; and

WHEREAS, Squire Patton Boggs (US), LLP has been providing legal services to the City in connection with the Riddell Project; and

WHEREAS, the continuing legal services are projected to exceed the financial limit of \$50,000.00, as set by law.

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 retain the law firm Squire Patton Boggs (US), LLP to provide outside legal services in connection with the ongoing Riddell Project and bond counsel, not to exceed \$200,000.00 for the year 2017.

SECTION 2. All funds necessary for the implementation of this Ordinance shall be paid from and charged to the appropriate fund.

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 §121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to keep the project on schedule and for the City to get reimbursed for costs. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5449-2017 AN ORDINANCE AUTHORIZING AND APPROVING A COOPERATIVE AGREEMENT BY AND AMONG THE CITY, THE LORAIN COUNTY PORT AUTHORITY, SCANNELL PROPERTIES #277, LLC, LCN RDL, CLEVELAND (OH) LLC, RIDDELL SPORTS GROUP INC. AND U.S. BANK NATIONAL ASSOCIATION PROVIDING FOR THE CONSTRUCTION AND FINANCING OF PERFORMANCE LANE AND OTHER IMPROVEMENTS AND AUTHORIZING AND APPROVING RELATED AGREEMENTS AND DECLARING AN EMERGENCY.

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 (collectively, the “Act”) provide that the Council of the City may describe public improvements to be made that directly benefit certain parcels of real property, declare private improvements with respect to such parcels located in the City to be a public purpose, thereby authorizing the exemption of those private improvements from real property taxation for a period of time, and provide for the making of service payments in lieu of taxes by the owner of such parcels; and

WHEREAS, pursuant to Ordinance No. 5407-2016, passed October 17, 2016 (the “TIF Ordinance”), this Council designated certain parcels in the City described therein (the “TIF Properties”) to be a public purpose under the Act; and

WHEREAS, Scannell Properties #277, LLC (“Scannell”) has completed development of a manufacturing and distribution facility on the TIF Properties (the “Project”) for lease to Riddell Sports Group, Inc. (the “Lessee”) and has sold the TIF Properties to LCN RDL, Cleveland (OH) LLC (the “Owner”); and

WHEREAS, the Project will revitalize the City in an environmentally safe and sound manner and will create jobs and employment opportunities in the City and thereby improve the economic welfare of the people of the City; and

WHEREAS, the City has determined to construct Performance Lane and certain intersection improvements on Center Ridge Road along the site of the Project and to cause to be made other public improvements related to the Project contemplated in the TIF Ordinance (the “Public Improvements”), which are necessary and appropriate in connection with the development of the TIF Properties and will directly benefit the TIF Properties, and will provide for a safer and more efficient flow of traffic and access by police, fire fighting and emergency response forces, and will provide for necessary public utilities and stormwater management for properties in the area, and are necessary for the public health, safety and welfare; and

WHEREAS, pursuant to Ohio Revised Code Sections 4582.22 through 4582.59, the City has requested the assistance of the Lorain County Port Authority in financing costs of the Public Improvements; and

WHEREAS, the City intends to enter into a Cooperative Agreement (the “Cooperative Agreement”) with the Lorain County Port Authority, Scannell, the Owner, the Lessee and U.S. Bank National Association to provide for, among other things, (i) the issuance of bonds (the “Bonds”) by the Lorain County Port Authority to pay and reimburse Scannell for costs of the Public Improvements, (ii) the payment of service payments in lieu of taxes (the “Service Payments”) under the TIF Ordinance by the Owner, and (iii) the transfer of the Service Payments by the City to the Lorain County Port Authority to pay principal and interest and other costs relating to the Bonds;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of North Ridgeville, Lorain County, Ohio, that:

5449-2017 Continued

Section 1. This Council hereby approves the Cooperative Agreement, a copy of which is on file in the office of the Clerk of Council. The Mayor is authorized to sign the Cooperative Agreement on behalf of the City in substantially the form on file with the Clerk, together with such revisions or additions as are approved by the Director of Law as being consistent with the objectives and requirements of this Ordinance, all of which shall be conclusively evidenced by the signing of the Cooperative Agreement.

Section 2. This Council hereby authorizes the Mayor, the Director of Law, the Auditor, the City Engineer and other City officials, as appropriate, to enter into such other documents on behalf of the City and sign such certificates and ratifies such actions heretofore taken as are necessary or appropriate in connection with the issuance of the Bonds or as are consistent with or contemplated in the Cooperative Agreement, and to provide such information and carry out such activities as are necessary for and incidental to carrying out the requirements of this Ordinance and the terms of the Cooperative Agreement, including entering into any tax lien sale agreement with the Lorain County Treasurer related to the Service Payments.

Section 3. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the passage of this Ordinance were taken, and that all deliberations of this Council and of any committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

Section 4. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to meet the timeline that the parties need to sell bonds for the best rate possible. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5450-2017 AN ORDINANCE AMENDING ORDINANCE NUMBER 5427-2017 OF THE CITY OF NORTH RIDGEVILLE, OHIO, FOR THE PERIOD COMMENCING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend the appropriations for certain funds and appropriate other amounts for the operations of the City of North Ridgeville, Ohio.

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

SECTION 1. That to provide for current and other expenditures for the City of North Ridgeville, Ohio for the period commencing January 1, 2017 and ending December 31, 2017, Ordinance No. 5427-2017 be and the same are hereby amended in the following amounts so that from and after the effective date of the Ordinance, the appropriation Ordinance shall include the following, being adjusted for the similar terms in the preceding appropriation Ordinance.

SECTION 2. That there be appropriated from the respective funds listed below, the total sums as follows:

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<u>Fund Number</u>	<u>Fund/Department</u>	<u>Personal Services</u>	<u>Other</u>	<u>Total</u>
101	<u>General Fund</u> Fire Department	\$0	\$46,800	\$46,800
432	<u>Avon Belden Roundabout</u>	0	1,400,000	1,400,000
890	<u>Lorain County Library</u>	0	(33)	(33)

SECTION 3. That the Auditor of the City of North Ridgeville is hereby authorized to draw warrants on the Treasury of the City of North Ridgeville for payments on any of the foregoing appropriations, upon receiving proper certification and vouchers therefore, approved by officers authorized by law to approve the same or by an ordinance or resolution of Council to make the expenditure and provide that no warrants may be drawn or paid for salaries or wages, except to persons employed by authority of or in accordance with law or Ordinance.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were 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.

SECTION 5. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to comply with budgetary law. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5451-2017 AN ORDINANCE ESTABLISHING THE AVON BELDEN ROAD ROUNDABOUT FUND AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville has been awarded a grant by the Ohio Public Works Commission for the construction of a roundabout at the intersection of Avon Belden Road and Mills Road; and

WHEREAS, the City of North Ridgeville and the City of Avon have agreed to jointly share in the construction cost of the roundabout; and

WHEREAS, in accordance with Section 5705.09(F) of the Ohio Revised Code, the City must establish a separate fund to account for the grant proceeds and related expenditures.

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

SECTION 1. There is hereby established the “*Avon Belden Road Roundabout Fund*” to account for the grant proceeds and related expenditures.

5451-2017 Continued

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 §121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to establish proper accounting for the project. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5452-2017 AN ORDINANCE AMENDING N.R.C.O. SECTION 286.13 COMPENSATION FOR MILITARY LEAVE.

WHEREAS, in order to support voluntary service in the uniformed armed forces of the United States of America, and assist employees serving, the Mayor and City Council wish to preserve an employee's accrual of vacation time while on qualified military leave; and

WHEREAS, N.R.C.O. Section 286.13 *Compensation for Military Leave* currently states the following:

- (a) Permanent public employees of the City who are ordered to duty as described in Ohio R.C. 5923.05, shall be entitled to the wages and benefits described therein.
- (b) The City, at the request of the spouse or dependent of such a person, shall continue or reactivate the health, medical, hospital, dental, vision and surgical benefits coverage of the person, whether provided by an insurance company, health insuring corporation, or other health plan or entity, for the duration of the time the person is on duty as described in that section.
- (c) City employees are required to submit to their employer an order or statement from the appropriate military commander as evidence of military duty before military leave with pay will be granted.

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

SECTION 1. N.R.C.O. Section 286.13 *Compensation for Military Leave* shall be amended by adding a new subsection (c) and will read as follows:

- (a) Permanent public employees of the City who are ordered to duty as described in Ohio R.C. 5923.05, shall be entitled to the wages and benefits described therein.

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(b) The City, at the request of the spouse or dependent of such a person, shall continue or reactivate the health, medical, hospital, dental, vision and surgical benefits coverage of the person, whether provided by an insurance company, health insuring corporation, or other health plan or entity, for the duration of the time the person is on duty as described in that section.

(c) The employee will continue to accrue vacation time hours to the credit of their account while on military leave in the same manner as such would be credited if the employee was in full employment status with the City during the term of military service.

(d) City employees are required to submit to their employer an order or statement from the appropriate military commander as evidence of military duty before military leave with pay will be granted.

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 §121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

5453-2017 AN ORDINANCE 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 MILLS ROAD AND STATE ROUTE 83 ROUNDABOUT PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$1,240,350.00.

WHEREAS, the cities of North Ridgeville and Avon are desirous of improving their respective communities and benefiting the motoring public by replacing the increasingly congested intersection located on the boundary of the two municipalities at State Route 83 and Mills Road with a circular traffic roundabout; and

WHEREAS, this intersection has been studied by the Ohio Department of Transportation, and the study determined that one of the best solutions to the traffic congestion problem is to provide a roundabout instead of a traditional signalized intersection with turning lanes; and

5453-2017 Continued

WHEREAS, the cities of North Ridgeville and Avon have entered into a cooperation agreement for equal sharing of the construction costs of the roundabout, and the City of North Ridgeville will be the lead agency during construction administration and public bidding; and

WHEREAS, the City of North Ridgeville has applied for a grant for this project from the Ohio Public Works Commission for an amount up to \$693,722.00; and

WHEREAS, bidding documents and construction plans for this project are available in the Engineering Department.

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 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 Mills Road and State Route 83 Roundabout Project and other appurtenances in an amount not to exceed \$1,240,350.00.

SECTION 2. The City of North Ridgeville has applied for a grant from the Ohio Public Works Commission for an amount up to \$693,722.00 for this project.

SECTION 3. The City's share of the costs for said project shall be paid from the appropriate fund.

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 §121.22 of the Ohio Revised Code.

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

5454-2017 AN ORDINANCE 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 REHABILITATION OF THE TENNIS COURTS IN SOUTH CENTRAL PARK, NOT TO EXCEED \$122,300.00.

WHEREAS, the tennis courts located in South Central Park are used by City residents and by the North Ridgeville City School District and will serve a dual function; and

5454-2017 Continued

WHEREAS, the City has received a \$52,244.00 grant from the Ohio Department of Natural Resources (ODNR) to rehabilitate the existing four tennis courts in South Central Park, which will include new asphalt, paint, posts, netting, and will serve as tennis and pickleball courts, which shall be funded from the NatureWorks Grant funds and other municipal monies; and

WHEREAS, the City has hired Envision Group to engineer and design the tennis courts in the amount of \$9,000.00; and

WHEREAS, the City's share of this project will be approximately \$70,056.00, which includes engineering and construction costs.

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 and enter into a contract, according to law and in a manner prescribed by law, with the lowest and best bidder for the rehabilitation of the tennis courts in South Central Park, not to exceed \$122,300.00.

SECTION 2. The cost of this project shall be charged to and paid from the NatureWorks Grant and 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 §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.

5455-2017 AN ORDINANCE APPROVING THE SALE OF CERTAIN PERSONAL PROPERTY OWNED BY THE CITY OF NORTH RIDGEVILLE PURSUANT TO O.R.C. SECTION 721.15(D).

WHEREAS, the City of North Ridgeville, pursuant to O.R.C. §721.15(D), may sell certain personal property by Internet auction; and

WHEREAS, North Ridgeville City Ordinance No. 4177-2005 and amending Ordinance No. 4711-09 permit the sale of City-owned personal property via Internet auction; and

WHEREAS, the following City-owned equipment is not being used by the City and no longer serves a municipal purpose: 2007 Ford Taurus VIN #1FAFP53U17A170332 with 59,139 miles; and

5455-2017 Continued

WHEREAS, the item listed above is valued in excess of \$1,000.00, therefore the sale of this equipment must be approved by Council.

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

SECTION 1. City Council finds that the 2007 Ford Taurus no longer serves a municipal purpose and hereby approves the sale of the Ford Taurus via Internet auction.

SECTION 2. Proceeds from the sale of the Ford Taurus shall be deposited into the appropriate City fund(s).

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 §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.

5456-2017 AN ORDINANCE AMENDING ORDINANCE NUMBER 4028-2004 WHICH ESTABLISHED THE MONETARY LIMIT FOR "BLANKET" FISCAL OFFICER CERTIFICATES.

WHEREAS, the Ohio Revised Code Section 5705.41(D) authorizes the use of "blanket" fiscal officer certificates; and

WHEREAS, the "blanket" certificates shall not exceed the sum of money established by Resolution or Ordinance adopted by a majority of members of the legislative authority.

WHEREAS, Ordinance 4028-2004 set the limit for a "blanket" fiscal officer certificate at \$5,000.

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

SECTION 1. Section 1 of Ordinance 4028-2004 shall be amended as follows:

The sum of money representing the monetary limit of "blanket" certificate shall not exceed \$15,000.00.

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

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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 §121.22 of the Ohio Revised Code.

SECTION 3. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

RESOLUTION(S)

1405-2017 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO SQUIRE PATTON BOGGS (US), LLP FOR LEGAL SERVICES RENDERED IN CONNECTION WITH THE RIDDELL PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, O.R.C. §5705.41 provides that City Council may authorize the payment of amounts due, wherein legislation shall be passed within thirty days from receipt of a certificate of the fiscal officer in accordance with O.R.C. §5705.41 (D)(1); and

WHEREAS, the fiscal officer does certify that the expenditure was and is properly appropriated and otherwise lawful, sufficient funds were and are available or in the process of collection to the credit of the proper fund, and the funds were and are free from any previous encumbrance; and

WHEREAS, Squire Patton Boggs (US), LLP is currently providing legal services to the City in connection with the Riddell Project, and serves a necessary public purpose; and

WHEREAS, Invoice No. 9876947 for legal services rendered in January and February of this year by Squire Patton Boggs (US), LLP has exceeded the City Fiscal Officer's certification of available funds by \$6,193.00, and there is the expectation that another invoice(s) will be forthcoming.

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

SECTION 1. Council hereby authorizes payment(s) to Squire Patton Boggs (US), LLP for legal services provided to the City in connection with the Riddell Project which has exceeded the Auditor's certification thru May 1, 2017.

SECTION 2. 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 §121.22 of the Ohio Revised Code.

1405-2017 Continued

SECTION 3. This Resolution is hereby declared to be an emergency measure, the emergency being the immediate need to pay the invoice. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1406-2017 A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT WINTER CONTRACT (018-18) FOR ROAD SALT AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville (hereinafter referred to as the “Political Subdivision”) hereby submits this written agreement to participate in the Ohio Department of Transportation’s (ODOT) annual winter road salt bid (018-18) in accordance with Ohio Revised Code §5513.01(B) and hereby agrees to all of the following terms and conditions in its participation of the ODOT winter road salt contract:

- a. The Political Subdivision hereby agrees to be bound by all terms and conditions established by ODOT in the winter road salt contract and acknowledges that upon an award of the contract by the Director of ODOT, it shall be bound by all such terms and conditions included in the contract; and
- b. The Political Subdivision hereby acknowledges that upon the Director of ODOT’s signing of the winter road salt contract, it shall effectively form a contract between the awarded salt supplier and the Political Subdivision; and
- c. The Political Subdivision agrees to be solely responsible for resolving all claims or disputes arising out of its participation in the ODOT winter road salt contract and agrees to hold the Department of Transportation harmless for any claims, actions, expenses, or other damages arising out of the Political Subdivision’s participation in the winter road salt contract; and
- d. The Political Subdivision hereby requests through this participation agreement a total of 4,500 tons of Sodium Chloride (road salt) of which the Political Subdivision agrees to purchase from its awarded salt supplier at the delivered bid price per ton awarded by the Director of ODOT; and
- e. The Political Subdivision hereby agrees to purchase a minimum of 90% of its above-requested salt quantities from its awarded salt supplier during the contract’s effective period of October 1, 2017 through April 30, 2018; and
- f. The Political Subdivision hereby agrees to place orders with and directly pay the awarded salt supplier on a net 30 basis for all road salt it receives pursuant to ODOT winter salt contract; and
- g. The Political Subdivision acknowledges that should it wish to rescind this participation agreement, it will do so by written, emailed request by no later than Thursday, June 1, 2017. The written, emailed request to rescind this participation agreement must be received by the ODOT Office of Contract Sales, Purchasing Section email: Contracts.Purchasing@dot.ohio.gov by the deadline. The Department, upon receipt, will respond that it has received the request and that it has effectively removed the Political Subdivision’s participation request. Furthermore, it is the sole responsibility of the Political Subdivision

1406-2017 Continued

to ensure ODOT has received this participation agreement as well as the receipt of any request to rescind this participation agreement. The Department shall not be held responsible or liable for failure to receive a Political Subdivision’s participation agreement and/or a Political Subdivision’s request to rescind its participation agreement.

NOW, THEREFORE, be it ordained by the following authorized person(s) that this participation agreement for the ODOT winter road salt contract is hereby approved, funding has been authorized, and the Political Subdivision agrees to the above terms and conditions regarding participation on the ODOT winter salt contract:

_____ (Authorized Signature) _____ Approval Date
_____ (Authorized Signature) _____ Approval Date
_____ (Authorized Signature) _____ Approval Date
_____ (Authorized Signature) _____ Approval Date
_____ (Authorized Signature) _____ Approval Date

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 §121.22 of the Ohio Revised Code.

This Resolution is hereby declared to be an emergency measure, the emergency being the immediate need to meet ODOT’s deadline. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

CITY COUNCIL MEETING DATES FOR 2017

January 3, 2017	January 17, 2017	February 6, 2017
February 21, 2017	March 6, 2017	March 20, 2017
April 3, 2017	April 17, 2017	May 1, 2017
May 15, 2017	June 5, 2017	June 19, 2017
July 3, 2017	July 17, 2017	August 7, 2017
August 21, 2017	September 5, 2017	September 18, 2017
October 2, 2017	October 16, 2017	November 6, 2017
November 20, 2017	December 4, 2017	December 18, 2017