



## CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

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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.

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### ORDINANCE(S)

**5357-2016 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE CITY OF AVON FOR THE CONSTRUCTION OF A TRAFFIC ROUNDABOUT AT THE INTERSECTION OF STATE ROUTE 83 AND MILLS ROAD.**

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

**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 is hereby authorized to enter into a Cooperative Agreement with the City of Avon, in a form substantially similar to the agreement attached hereto and marked as **Exhibit "A"**.

**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.

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**5358-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH SCANNELL DEVELOPMENT COMPANY FOR THE PROVISION OF TAX INCREMENT FINANCING AND OTHER ECONOMIC DEVELOPMENT INCENTIVES RELATIVE TO THE ESTABLISHMENT OF A COMMERCIAL DEVELOPMENT PROJECT WITHIN THE CITY'S BOUNDARIES AND DECLARING AN EMERGENCY.**

**WHEREAS**, Council finds it serves the best interests of the City to promote the expansion of commercial enterprise within the City as it fosters the economic expansion of the City, provides necessary tax revenue and in specific instances may fund the construction of public improvements; and

**WHEREAS**, partly in consideration of economic development based tax incentives offered by the City, Scannell Development Company desires to improve and develop the identified parcels with the construction of a large scale manufacturing, warehouse and office facility; and

**WHEREAS**, in addition to economic development, Council finds that the agreement will further benefit the City by funding the construction of public improvements via the payments made in lieu of property taxes via the contemplated TIF agreement and legislation to follow.

**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 an Agreement in a form substantially similar to the Agreement attached hereto and marked as **Exhibit 1**.

**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 immediate necessity to meet the deadlines imposed by the state. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5359-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH URS CORPORATION, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, FOR PROFESSIONAL ENGINEERING SERVICES FOR SANITARY SEWER SUBBASINS 9, 10, 15 AND 16, NOT TO EXCEED \$130,000.00.**

**WHEREAS**, the City of North Ridgeville has been experiencing flooding in certain parts of the City, making it a high priority to have sewer investigatory work performed; and

**5359-2016 Continued**

**WHEREAS**, URS Corporation will conduct dye water testing of public storm sewers in order to identify locations and types of leaks and will inspect all of the sanitary manholes and sewers in sanitary sewer subbasins 9, 10 15 and 16, looking for dye transfer; and

**WHEREAS**, URS Corporation will issue a report making recommendations for any problems found during testing.

**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 with URS Corporation for professional engineering consulting services with respect to conducting a sanitary sewer investigation in sanitary sewer subbasins 9, 10, 15 and 16 and other appurtenances in an amount not to exceed \$130,000.00.

**SECTION 2.** The cost for said project shall be paid from 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 shall take effect and be in full force from and after the earliest period allowed by law.

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**5360-2016      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 JAYCOX ROAD PHASE 2 RECONSTRUCTION PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$607,175.00.**

**WHEREAS**, Jaycox Road from approximately 400 feet north of Drake Street to Mills Road is in need of reconstruction and other appurtenances; and

**WHEREAS**, the City of North Ridgeville Engineering Department has prepared the bidding documents and design for this project; and

**WHEREAS**, the City of North Ridgeville has applied for a grant in an amount up to \$358,233.00 from the Ohio Public Works Commission for this project.

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

**5360-2016 Continued**

**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 Jaycox Road Phase 2 Reconstruction Project and other appurtenances in an amount not to exceed \$607,175.00.

**SECTION 2.** The City of North Ridgeville has applied for and received a grant from the Ohio Public Works Commission for an amount up to \$358,233.00 for this project.

**SECTION 3.** The City's cost of \$248,942.00 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.

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**RESOLUTION(S)**

**1383-2016      A RESOLUTION TO AUTHORIZE THE EXPENDITURE OF FUNDS IN THE AMOUNT OF \$111,400.00 TO REIMBURSE THE OHIO DEPARTMENT OF TRANSPORTATION FOR ACQUIRED LAND WHICH WILL BE NECESSARY FOR THE CITY'S EXTENSION OF JAYCOX ROAD AND DECLARING AN EMERGENCY.**

**WHEREAS,** the City has been requested to reimburse the Ohio Department of Transportation (ODOT) in the sum of \$111,400.00 for land acquired by ODOT which will be required in the City's extension of Jaycox Road to the south; and

**WHEREAS,** funds have been appropriated for acquisition of land necessary for the extension of Jaycox Road; and

**WHEREAS,** funds exist in contingency to cover the cost of property acquisition for Jaycox Road in excess of that specifically appropriated.

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

**SECTION 1.** Council hereby authorizes the expenditure of funds to ODOT in the amount of \$111,400.00 for land acquired for the extension of Jaycox Road.

**1383-2016 Continued**

**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.

**SECTION 3.** This Resolution is hereby declared to be an emergency measure, the emergency being the need for ODOT to receive the funds by May 15, 2016. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**1384-2016      A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY JAMES W. & LORETTA A. KING REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.**

**WHEREAS,** the applicants, James W. & Loretta A. King, have applied to the County Auditor to place not less than ten acres in an agricultural district for at least five years or as otherwise qualified under O.R.C. Section 929.02 and said application either has been or must be approved by the County Auditor; and

**WHEREAS,** the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 of the Ohio Revised Code to permit the establishment of agricultural districts to preserve agricultural land, to exempt land in those districts from the collection of specified utility assessments and to provide other benefits for land in those districts; and

**WHEREAS,** Section 929.02(B) provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an agricultural district filed pursuant to O.R.C. Section 929.02(A), if such rejection or modification is necessary to prevent a substantial, adverse effect on the provision of municipal services within the municipal corporation, efficient use of land within the municipal corporation, the orderly growth and development of the municipal corporation, or the public health, safety or welfare; and

**WHEREAS,** the legislative authority of a municipal corporation is required to review each application for inclusion in an agricultural district made by an owner of real property which is located within the municipal corporation by approving, rejecting or approving with modifications within the statutory time frame; and

**WHEREAS,** James W. & Loretta A. King filed such an application, available for inspection and located in the office of the Clerk of Council and which application is incorporated by reference as if fully rewritten herein.

**NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO:**

## **1384-2016 Continued**

**SECTION 1.** The application is hereby approved for all purposes encompassed by O.R.C. Sections 929.01 to 929.05 and any other benefits made available by the Ohio Revised Code except for the exemption from collection of assessments provided by O.R.C. Section 929.03. This constitutes a modification and is necessary to prevent an adverse effect on the provision of municipal services, to ensure efficient land use and orderly growth and development and to provide for the public health, safety and welfare.

**SECTION 2.** Should the County Auditor reject or refuse this application; should the applicant(s) fail to renew the application when necessary, or for any other reason should the applicant(s) fail to comply with or become out of compliance with the requirements to be included in an agricultural district, this approval shall terminate.

**SECTION 3.** That is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted 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 compliance with all legal requirements including §121.22 of the Ohio Revised Code.

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### **1385-2016      A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY ROBERT SLUSHER REGARDING CERTAIN LAND OWNED BY HIM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.**

**WHEREAS,** the applicant, Robert Slusher has applied to the County Auditor to place not less than ten acres in an agricultural district for at least five years or as otherwise qualified under O.R.C. Section 929.02 and said application either has been or must be approved by the County Auditor; and

**WHEREAS,** the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 of the Ohio Revised Code to permit the establishment of agricultural districts to preserve agricultural land, to exempt land in those districts from the collection of specified utility assessments and to provide other benefits for land in those districts; and

**WHEREAS,** Section 929.02(B) provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an agricultural district filed pursuant to O.R.C. Section 929.02(A), if such rejection or modification is necessary to prevent a substantial, adverse effect on the provision of municipal services within the municipal corporation, efficient use of land within the municipal corporation, the orderly growth and development of the municipal corporation, or the public health, safety or welfare; and

**WHEREAS,** the legislative authority of a municipal corporation is required to review each application for inclusion in an agricultural district made by an owner of real property which is located within the municipal corporation by approving, rejecting or approving with modifications within the statutory time frame; and

**1385-2016 Continued**

**WHEREAS**, Robert Slusher filed such an application, available for inspection and located in the office of the Clerk of Council and which application is incorporated by reference as if fully rewritten herein.

**NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO:**

**SECTION 1.** The application is hereby approved for all purposes encompassed by O.R.C. Sections 929.01 to 929.05 and any other benefits made available by the Ohio Revised Code except for the exemption from collection of assessments provided by O.R.C. Section 929.03. This constitutes a modification and is necessary to prevent an adverse effect on the provision of municipal services, to ensure efficient land use and orderly growth and development and to provide for the public health, safety and welfare.

**SECTION 2.** Should the County Auditor reject or refuse this application; should the applicant(s) fail to renew the application when necessary, or for any other reason should the applicant(s) fail to comply with or become out of compliance with the requirements to be included in an agricultural district, this approval shall terminate.

**SECTION 3.** That is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted 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 compliance with all legal requirements including §121.22 of the Ohio Revised Code.

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**CITY COUNCIL MEETING DATES FOR 2016**

January 4, 2016	January 19, 2016	February 1, 2016
February 16, 2016	March 7, 2016	March 21, 2016
April 4, 2016	April 18, 2016	May 2, 2016
May 16, 2016	June 6, 2016	June 20, 2016
July 5, 2016	July 18, 2016	August 1, 2016
August 15, 2016	September 6, 2016	September 19, 2016
October 3, 2016	October 17, 2016	November 7, 2016
November 21, 2016	December 5, 2016	December 19, 2016

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