



## 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)

**5373-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO APPROVE PAYMENT TO THE LORAIN COUNTY ENGINEER FOR THE CITY'S SHARE OF THE CONSTRUCTION COST FOR THE LEAR NAGLE ROAD WIDENING PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$2,908,853.10 AND DECLARING AN EMERGENCY.**

**WHEREAS**, Lear Nagle Road requires reconstruction and widening throughout its length between Center Ridge Road and Lorain Road; and

**WHEREAS**, the Lear Nagle Road widening project, also known as PID No. 16319, LOR-CR610 Lear Nagle Road, includes widening Lear Nagle Road from Center Ridge Road to Lorain Road to three lanes, right-of-way acquisition, pavement reconstruction, sidewalks, turning lanes, curb and gutters, a closed drainage system, and traffic control improvements; and

**WHEREAS**, the City is party to an agreement with the Lorain County Engineer for services related to the Lear Nagle Road widening project, under the terms of which the City is obligated to reimburse the County for expenses incurred in the furtherance of the project; and

**WHEREAS**, Terrace Construction Company was awarded the contract for construction of this project by the Lorain County Engineer; and

**WHEREAS**, Greenman-Pedersen, Inc. was awarded the contract for construction engineering and inspection for this project by the Lorain County Engineer; and

**WHEREAS**, the City's share including contingencies of the total construction and construction engineering cost is estimated to be \$2,908,853.10.

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

**5373-2016 Continued**

**SECTION 1.** The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to approve payment for the City’s share of the construction and construction engineering cost to the Lorain County Engineer for \$2,908,853.10.

**SECTION 2.** Costs associated with this 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 is hereby declared to be an emergency measure, the emergency being in order to keep work going and getting the road improved. 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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**5374-2016      AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 5320-2016 OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2016 AND ENDING DECEMBER 31, 2016 AND DECLARING AN EMERGENCY.**

**WHEREAS,** it is necessary to appropriate certain unanticipated funds and amend other previously appropriated amounts, for the operating 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, 2016 and ending December 31, 2016, Ordinance No. 5320-2016 be and the same are hereby amended in the following particulars 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:

	Personal Services \$	Other Expense \$	Transfers \$	Total \$
<u>GENERAL FUND</u>				
Miscellaneous General Gov't	0.00	12,800.00		12,800.00
Police	<u>39,500.00</u>	<u>600.00</u>		<u>40,100.00</u>
<b><u>TOTAL GENERAL FUND</u></b>	<b><u>39,500.00</u></b>	<b><u>13,400.00</u></b>		<b><u>52,900.00</u></b>

**5374-2016 Continued**

	Personal Services \$	Other Expense \$	Transfers \$	Total \$
<u>TIF FUND</u>	<u>0.00</u>	<u>190,847.59</u>		<u>190,847.59</u>
<b><u>TOTAL TIF FUND</u></b>	<b><u>0.00</u></b>	<b><u>190,847.59</u></b>		<b><u>190,847.59</u></b>
<u>INCOME TAX FUND</u>	<u>0.00</u>	<u>1,000.00</u>		<u>1,000.00</u>
<u>STREET LEVY FUND</u>	<u>0.00</u>	<u>72,020.00</u>		<u>72,020.00</u>
<b><u>TOTAL SPECIAL REVENUE</u></b>	<b><u>0.00</u></b>	<b><u>73,020.00</u></b>		<b><u>73,020.00</u></b>
<u>DEBT SERVICE</u>	<u>0.00</u>	<u>2,912,219.81</u>		<u>2,912,219.81</u>
<b><u>TOTAL DEBT SERVICE</u></b>	<b><u>0.00</u></b>	<b><u>2,912,219.81</u></b>		<b><u>2,912,219.81</u></b>
<u>CAPITAL PROJECTS FUND</u>	<u>0.00</u>	<u>11,280,000.00</u>		<u>11,280,000.00</u>
<b><u>TOTAL CAPITAL PROJECTS</u></b>	<b><u>0.00</u></b>	<b><u>11,280,000.00</u></b>		<b><u>11,280,000.00</u></b>
<u>WATER FUND</u>	<u>0.00</u>	<u>100,000.00</u>		<u>100,000.00</u>
<u>WATER G O B R FUND</u>	<u>0.00</u>	<u>140,700.00</u>		<u>140,700.00</u>
<u>WATER IMPROVEMENT FUND</u>	<u>0.00</u>	<u>869,900.00</u>		<u>869,900.00</u>
<u>SANITARY SEWER FUND</u>	<u>0.00</u>	<u>703,100.00</u>		<u>703,100.00</u>
<u>SANITARY SEWER B R FUND</u>	<u>0.00</u>	<u>700,000.00</u>		<u>700,000.00</u>
<u>SANITARY SEWER IMPR FUND</u>	<u>0.00</u>	<u>7,007,400.00</u>		<u>7,007,400.00</u>
<u>FRENCH CREEK WWTP FUND</u>	<u>0.00</u>	<u>45,000.00</u>		<u>45,000.00</u>
<u>FRENCH CREEK B R FUND</u>	<u>0.00</u>	<u>238,100.00</u>		<u>238,100.00</u>
<u>FRENCH CREEK R &amp; I FUND</u>	<u>0.00</u>	<u>8,000.00</u>		<u>8,000.00</u>
<b><u>TOTAL ENTERPRISE</u></b>	<b><u>0.00</u></b>	<b><u>9,812,200.00</u></b>		<b><u>9,812,200.00</u></b>
<b><u>TOTAL ALL FUNDS</u></b>	<b><u>\$ 39,500.00</u></b>	<b><u>\$24,281,687.40</u></b>	<b><u>\$ 0.00</u></b>	<b><u>\$24,321,187.40</u></b>

**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

**5374-2016 Continued**

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.** 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 is hereby declared to be an emergency measure, the emergency being in order to pay the expenditures that are overdue. 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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**5375-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, WITH LAKETEC COMMUNICATIONS, INC. FOR PROFESSIONAL INFORMATION TECHNOLOGY SERVICES TO INSTALL AND CONFIGURE THE COMPUTER NETWORK CABLING, HARDWARE AND VIDEO MONITORING EQUIPMENT AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$149,000.00 AND DECLARING AN EMERGENCY.**

**WHEREAS,** in conjunction with the Supervisory Control and Data Acquisition System (SCADA) upgrade at the French Creek Wastewater Treatment Plant, the computer network that supports the SCADA system also needs to be upgraded in order to maintain compliance with the Plant's Ohio EPA NPDES permit; and

**WHEREAS,** the network will be comprised of cabling, networking switches, a visual monitoring system and wireless network access. The network will support the SCADA Master Control System and is essential to the operation and control of the French Creek Waste Water Treatment Plant.

**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 negotiate and enter into a contract according to law and in a manner prescribed by law with Laketec Communications, Inc. for professional information technology services to install and configure the computer network cabling, hardware and video monitoring equipment at the French Creek Wastewater Treatment Plant, not to exceed \$149,000.00.

**SECTION 2.** The cost of this project shall be paid from the appropriate City fund.

**5375-2016 Continued**

**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 get the project moving forward because a fully automatic project is necessary. 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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**5376-2016      AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH WIRING UNLIMITED, INC., A PROFESSIONAL ENGINEERING FIRM, TO PERFORM THE PHASE II UPGRADE OF THE SUPERVISORY CONTROL AND DATA ACQUISITION SYSTEM (SCADA) AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$250,000.00 AND DECLARING AN EMERGENCY.**

**WHEREAS,** the Supervisory Control and Data Acquisition system (SCADA) is a computer-based system that monitors and controls essential functions within the French Creek Wastewater Treatment Plant; proper operation of this system is essential to maintaining compliance with the Plant's Ohio EPA NPDES permit; and

**WHEREAS,** the SCADA system needs to be upgraded on a regular basis, however, the last upgrade was performed over ten years ago; and

**WHEREAS,** Wiring Unlimited, Inc., is a professional firm of integrators, engineers, designers and constructors providing engineering and integration services and is the system integrator for the French Creek Wastewater Treatment Plant; it performed Phase I of the SCADA system upgrade; Phase II will be a continuation of the work that was begun in Phase I.

**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 negotiate and enter into a contract according to law and in a manner prescribed by law with Wiring Unlimited, Inc. for the Phase II upgrade of the French Creek Wastewater Treatment Plant SCADA system, not to exceed \$250,000.00.

**SECTION 2.** The cost of this project shall be paid from the appropriate City 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

**5376-2016 Continued**

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 in order to get the project fitted into the schedule. 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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**5377-2016      AN ORDINANCE ESTABLISHING A NEW N.R.C.O. CHAPTER  
ENTITLED “MOBILE FOOD VENDORS” AND DECLARING AN  
EMERGENCY.**

**WHEREAS**, mobile food vendors and “food trucks” are becoming increasingly popular; and

**WHEREAS**, the City of North Ridgeville desires to establish a new chapter in its codified Ordinances regulating and licensing the activities of mobile food vendors within the City of North Ridgeville in order to ensure the safety of residents and visitors, as well as authorize the use of mobile food trucks as an amenity to the public.

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

**SECTION 1. Definitions**

“Mobile Food Vendor” – A motorized vehicle, trailer, tent or stand which may upon issuance of a permit by the City through the fire department page of the City’s website or other method prescribed, and in conformance with the regulations established by this Ordinance may temporarily park or present along a public or private property and engage in the service, sale or distribution of ready to eat food for individual portion service to the general public.

“Mobile Food Vehicle Vendor” – the registered owner of a mobile food vendor vehicle, trailer, stand or business, or the owner’s agent or employee; and referred to in this Ordinance as “vendor”.

**SECTION 2. Scope**

The provisions of this Ordinance apply to mobile food vendors engaged in the business of cooking, preparing and/or distributing food or beverage with or without charge upon or in public and private restricted spaces. This Ordinance does not apply to vehicles which dispense food and that move from place to place and are stationary in the same location for no more than 15 minutes at a time, such as ice cream trucks, or food vending pushcarts and stands located on sidewalks.

**SECTION 3. Permit Required**

## **5377-2016 Continued**

A. It shall be unlawful for any person, including any religious, charitable or nonprofit organization to operate within the City mobile food vending activity without having obtained a current food license or temporary food license from the Lorain County General Health District and a Mobile Food Vendor permit from the City of North Ridgeville.

B. A person desiring to engage in mobile food vending shall obtain a Mobile Food Vendor permit at least 48 hours in advance by registering on the fire department page of the City of North Ridgeville website or from the North Ridgeville Fire Department and provide the following:

1. Name, phone number, email contact and business address of the applicant;
2. A brief description of the preparation methods and food product offered for sale;
3. Information on the mobile food vehicle to include year, make and model of the vehicle and dimensions, which shall not exceed 36 feet in length or 9 feet in width; and
4. Information setting forth the proposed hours of operation, arrival time at the site, area of operation, plans for power access, cooking and heating equipment, water supply and wastewater disposal.

C. Upon on-site fire inspection, all vendors must provide copies of a current food license or temporary food license from the Lorain County General Health District, a printed permit from the fire department page of the City of North Ridgeville website and insurance information including the following:

- a. Proof of General Comprehensive Liability policy with limits of no less than \$1 million of Combined Single Limit coverage issued by an insurer licensed to do business in this state and which names the City of North Ridgeville as an additional insured.
- b. Proof of Public Liability and Property Damage motor vehicle policy with limits of no less than \$1 million issued by an insurer licensed to do business in this state.

D. Each mobile food vehicle permit shall expire once the mobile food vendor vacates the area of operations for longer than one (1) hour.

E. A permit issued under this Ordinance shall not be transferred from person to person.

F. A permit is valid for one motorized vehicle, trailer, tent or stand and shall not be transferred.

## **SECTION 4. Regulations**

A. All mobile food vendors shall obey all rules and regulations set forth by the Lorain County General Health District, the Fire Code and the Life Safety Code.

**5377-2016 Continued**

B. Mobile Food Vendors shall not be located within 50 feet from a commercial or residential structure without prior fire department approval.

C. No operator of a mobile food vehicle shall park, stand or move a vehicle and conduct business within areas of the City where the permit holder has not been authorized to operate.

D. The North Ridgeville Fire Department reserves the right to perform an inspection at any time during operation, obtain copies of all insurance information from the vendor, obtain a copy of the current food license or temporary food license issued by Lorain County General Health District and signed vendors copy of the Mobile Food Vendor permit obtained from the City of North Ridgeville.

E. A *Mobile Food Vendor Fire Prevention Checklist* can be obtained from the fire department page of the City of North Ridgeville website or upon request to assist the vendor in preparing for the fire inspection.

**SECTION 5. Enforcement**

A. Any permit holder operating a mobile food vehicle in violation of any provision of this Ordinance or any rules and regulations promulgated by the City shall be a misdemeanor of the fourth degree, subject to a fine of not more than \$250 and a jail term of not more than 30 days or both. Each day of violation shall constitute a separate and distinct offense.

B. Once a permit has been issued it may be revoked, suspended or not renewed by the fire department for failure to comply with the provisions of this Ordinance and any rules or regulations promulgated by the City.

**SECTION 6.**

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 7.**

This Ordinance is hereby declared to be an emergency measure, the emergency being for the health, safety and welfare of the citizens of North Ridgeville. 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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**RESOLUTION(S)**

**None**

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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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