



## CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 09.15.2014

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

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### ORDINANCES

(The following Ordinances were passed by City Council on September 15, 2014)

**5169-2014 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, NOT TO EXCEED \$146,895.00 AND DECLARING AN EMERGENCY.**

**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

**WHEREAS**, URS Corporation will conduct a dyed water testing of public storm sewers in order to identify locations and types of leaks, and will inspect all of the sanitary manholes the study areas, looking for dye transfer; and

**WHEREAS**, URS Corporation will issue a report, making recommendations for any problems found during the 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 certain areas of the City, not to exceed \$146,895.00.

**SECTION 2.** The cost of this engineering study 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 **5169-**

**5169-2014 Continued**

meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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**5170-2014 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 5108-2014 AND ORDINANCE NO. 5123-2014 FOR THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2014 AND ENDING DECEMBER 31, 2014 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, 2014 and ending December 31, 2014, Ordinance No. 5108-2014 and Ordinance No. 5123-2014 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>				
Auditor	10,000.00	2,000.00	0.00	12,000.00
Treasurer	63,000.00	4,600.00	0.00	67,600.00
Computer Services	<u>15,000.00</u>	<u>3,000.00</u>	<u>0.00</u>	<u>18,000.00</u>
<b>TOTAL GENERAL FUND</b>	<b><u>88,000.00</u></b>	<b><u>9,600.00</u></b>	<b><u>0.00</u></b>	<b><u>97,600.00</u></b>
STREET LEVY	<u>0.00</u>	<u>11,500.00</u>	<u>0.00</u>	<u>11,500.00</u>
<b>TOTAL SPECIAL REVENUE</b>	<b><u>0.00</u></b>	<b><u>11,500.00</u></b>	<b><u>0.00</u></b>	<b><u>11,500.00</u></b>
CAPITAL PROJECTS	<u>0.00</u>	<u>23,500.00</u>	<u>0.00</u>	<u>23,500.00</u>
<b>TOTAL CAPITAL PROJECTS</b>	<b><u>0.00</u></b>	<b><u>23,500.00</u></b>	<b><u>0.00</u></b>	<b><u>23,500.00</u></b>

**5170-2014 Continued**

	Personal Services \$	Other Expenses \$	Transfers \$	Total \$
WATER OPERATING FUND	0.00	75,000.00	0.00	75,000.00
SANITARY SEWER OPERATING FUND	0.00	214,000.00	0.00	214,000.00
FRENCH CREEK OPERATING FUND	40,000.00	( 442,200.00)	0.00	( 402,200.00)
FRENCH CREEK R & I FUND	<u>0.00</u>	<u>660,000.00</u>	<u>0.00</u>	<u>660,000.00</u>
<b>TOTAL ENTERPRISE</b>	<b><u>40,000.00</u></b>	<b><u>506,800.00</u></b>	<b><u>0.00</u></b>	<b><u>546,800.00</u></b>
<b>TOTAL ALL FUNDS</b>	<b><u>\$ 128,000.00</u></b>	<b><u>\$ 551,400.00</u></b>	<b><u>\$ 0.00</u></b>	<b><u>\$ 679,400.00</u></b>

**SECTION 3.** That the Auditor of the City of North Ridgeville be and he 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.** That this Ordinance is hereby declared to be an emergency measure, the emergency being due to the multiple projects that need passed for the health, safety and welfare of the City. In order to fund those projects, the amended appropriation Ordinance needs passed first. 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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**5171-2014 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, NOT TO EXCEED \$66,538.00 AND DECLARING AN EMERGENCY.**

**5171-2014 Continued**

**WHEREAS**, URS Corporation completed a sewer rate evaluation study which noted that the local sewer system has significant amounts of inflow and infiltration, which are the root cause of basements flooding, but found that repairs to the sewer system will not eliminate the problem and that construction of an equalization basin(s) could potentially provide a solution;

**WHEREAS**, URS Corporation will prepare a preliminary design report which will include conceptual design drawings showing the primary features of the proposed equalization basin; hydraulic analysis and a computer model to simulate the proposed equalization basin system and runoff in order to determine the effectiveness of the system and/or proposed location; site selection; easement and land acquisition issues; and other tasks.

**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 in order to determine whether construction of an equalization basin(s) will alleviate flooding in the City, not to exceed \$66,538.00.

**SECTION 2.** The cost of the equalization basin study 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 Section 121.22 of the Ohio Revised Code.

**SECTION 4.** That this Ordinance is hereby declared to be an emergency measure, the emergency being for the health, safety and welfare of the citizens of the City 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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**5172-2014 AN ORDINANCE AMENDING ORDINANCE NO. 5133-2014, WHICH AUTHORIZED THE ROOT ROAD WATER MAIN REPLACEMENT PROJECT, BY INCREASING THE AMOUNT FROM \$390,800.00 TO NOT TO EXCEED \$465,800.00 AND DECLARING AN EMERGENCY.**

**WHEREAS**, due to frequent water main breaks on Root Road from Bainbridge Road to Center Ridge Road, the City passed Ordinance No. 5133-2014, which authorized the replacement of the existing eight-inch water main at a cost not to exceed \$390,800.00; and

**5172-2014 Continued**

**WHEREAS**, the consulting engineering firm has prepared a detailed engineering cost estimate which is substantially higher than the preliminary cost estimate, thereby necessitating amending Ordinance No. 5133-2014 by increasing the amount to not to exceed \$465,800.00.

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

**SECTION 1.** Ordinance No. 5133-2014 is hereby amended by increasing the amount of the Root Road water main replacement project by increasing the amount appropriated from \$390,800.00 to not to exceed \$465,800.00.

**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.

**SECTION 3.** That this Ordinance is hereby declared to be an emergency measure, the emergency being for the health, safety and welfare of the citizens of the City 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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**5173-2014 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 880 EARNED INCOME TAX BY ADDING A DEFINITION FOR "PENSION".**

**WHEREAS**, recent case law involving municipal income tax and Supplemental Executive Retirement Plans (SERPs) has prompted the Regional Income Tax Agency (R.I.T.A.) to recommend that the City amend its ordinances regulating municipal income tax by adding a definition for "Pension".

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

**SECTION 1.** N.R.C.O. Chapter 880 *Earned Income Tax* is hereby amended by adding the following definition to Section 880.02:

**Pension.** For purposes of this chapter, a pension is any amount paid to an employee or former employee that is reported to the recipient on an IRS Form 1099-R, or successor form. Pension does not include deferred compensation, or amounts attributable to nonqualified deferred compensation plans, reported as FICA/Medicare wages on an IRS Form W-2, Wage and Tax Statement, or successor form.

**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.

**5173-2014 Continued**

**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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**RESOLUTIONS**

(The following Resolution was passed by City Council on September 15, 2014)

**1315-2014     A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO THE CHAGRIN VALLEY PAVING, INC. IN THE AMOUNT OF \$5,423.21 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**, a change order was issued to Chagrin Valley Paving, Inc. for changes made to the construction of the Town Center Trail (a necessary public purpose), but a purchase order authorizing the additional funds was not submitted, approved and certified.

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

**SECTION 1.** Council hereby authorizes payment to Chagrin Valley Paving, Inc. in the amount of \$5,423.21.

**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 Section 121.22 of the Ohio Revised Code.

**SECTION 3.** That this Resolution is hereby declared to be an emergency measure, the emergency being the immediate necessity to submit the payment in a timely fashion. WHEREFORE, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

**REMAINING CITY COUNCIL MEETING DATES FOR 2014**

October 6, 2014  
November 17, 2014

October 20, 2014  
December 1, 2014

November 3, 2014  
December 15, 2014

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