



## 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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### RESOLUTION(S)

**1475-2020 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO, APPROVING AND RATIFYING AN APPLICATION FOR TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14 CREATED BY CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94, BY ARC TERRA, LLC, AN OHIO LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.**

**WHEREAS**, the Council of the City of North Ridgeville, Ohio, by Resolution No. 768-94 adopted on June 20, 1994, established and described the boundaries of a "Community Reinvestment Area No. 14" in accordance with Section 3736.66 of the Ohio Revised Code; and

**WHEREAS**, the Council of the City of North Ridgeville, Ohio, established standards for the terms and extent of the real property exemptions permitted within Community Reinvestment Area No. 14 by the passage of Resolution No. 768-94 and subsequent amendments; and

**WHEREAS**, Arc Terra, LLC, an Ohio limited liability company organized and existing under the laws of the state of Ohio has submitted a Tax Incentive Request, on a form prescribed for that purpose by the City of North Ridgeville, Ohio, setting the outline of a plan for the construction of an approximately 10,000 square foot structure for the expansion and relocation of a professional engineering and surveying services business, and for the tenancy of other professional business concerns, at an approximate cost of \$1,100,000.00 within the City of North Ridgeville Community Reinvestment Area No. 14, to maintain current employees and to hire new employees, and to encourage economic stability, maintain real property values, and generate new employment opportunities in the City of North Ridgeville; and has requested that the City of North Ridgeville grant tax exemption incentives mentioned in Section 3735 and related sections of the Ohio Revised Code in exchange for the implementation of the aforementioned plan and application as attached hereto; and

**WHEREAS**, the Tax Incentive Review Board has reviewed the application submitted by Arc Terra, LLC, and has recommended the same for approval. Arc Terra, LLC, is found to qualify for a Class 1 exemption under Section 3(C) of Resolution No. 768-94 as amended.

**1475-2020 Continued**

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

**SECTION 1.** The Housing Officer is hereby directed and authorized to grant the application of Arc Terra, LLC, an Ohio limited liability company, for a Class 1 Community Reinvestment Area No. 14 tax incentive, pursuant to the authority of Resolution No. 768-94 as amended, in accordance with the description set forth in the application attached hereto and incorporated by reference herein.

**SECTION 2.** The Clerk of Council is hereby directed immediately to transmit a certified copy of this Resolution, along with the Tax Incentive Request, to the Lorain County Auditor and other appropriate state and local officials including without limitation the North Ridgeville City School District.

**SECTION 3.** The Mayor is hereby authorized to enter into an agreement establishing the CRA Tax Incentive in substantially the same form and terms as attached hereto to this Resolution and labeled **Exhibit "1"**.

**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 §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.

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**ORDINANCE(S)**

**5694-2020      PID NO. 104158; PROJECT NAME: D03 LG FY2020  
AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO  
DEPARTMENT OF TRANSPORTATION FOR THE INTERCHANGE  
LIGHTING UPGRADE AND REPLACEMENT PROJECT AND DECLARING  
AN EMERGENCY.**

**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 upgrade and replace lighting at State Route 10, SLM (02.53), at the State Route 83 interchange; and

**WHEREAS**, upon passage of this ordinance, the Engineer shall return two (2) original signature copies to Lisa Pawlikowski, Administrative Professional 4, ODOT D03 Highway Management, 906 Clark Ave., Ashland, Ohio 44805

**5694-2020 Continued**

**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:

*Interchange Lighting Upgrades/Replacement on State Route 0010, SLM (02.53), at the State Route 0083 interchange within the City of North Ridgeville of Lorain County which is the responsibility of the City of North Ridgeville.*

*Construction is tentatively scheduled to begin in the summer of 2020.*

**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, as follows:

- 1) *ODOT agrees to assume and bear one hundred percent (100%) of the preliminary engineering costs, and environmental coordination costs.*
- 2) *The City agrees to assume and bear one hundred percent (100%) of the construction and construction engineering costs for the SR 0010 and SR 0083 interchange lighting inside the corporation limits of the city, except removal items will be paid for by ODOT.*
- 3) *A preliminary cost estimate for the City share of this project is \$185,000 for construction costs and \$18,500 for construction engineering (inspection).*

**SECTION IV – Utilities and Right-of-Way Statement**

The City agrees to be responsible for all utility accommodation, relocation, and reimbursement and agrees that all such accommodations, relocations, and reimbursements shall comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

**SECTION V - Maintenance**

Upon completion of the described project, and unless otherwise agreed, the City shall:

- 1) Be responsible for all lighting maintenance cost within the City corporation limits at the SR 0010 & SR 0083 interchange as per signing the maintenance agreement with ODOT.

**5694-2020 Continued**

**SECTION VI – 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 which is necessary to complete the above- described project.

**SECTION VII – 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 §121.22 of the Ohio Revised Code.

**SECTION VIII – Effective Date**

This Ordinance is hereby declared to be an emergency measure, the emergency being in order to meet the ODOT deadline of January 15, 2020. 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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**5695-2020      PID NO. 79759; PROJECT NAME: LOR IR 0480 00.97**  
**AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO**  
**DEPARTMENT OF TRANSPORTATION FOR THE RESURFACING PROJECT**  
**ON IR 480 THROUGH THE CITY OF NORTH RIDGEVILLE AND**  
**DECLARING AN EMERGENCY.**

**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 resurface IR 480 through the City of North Ridgeville; and

**WHEREAS**, upon passage of this ordinance, the Engineer shall return two (2) original signature copies to Lisa Pawlikowski, Administrative Professional 4, ODOT D03 Highway Management, 906 Clark Ave., Ashland, Ohio 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:

*To perform a resurfacing project on IR 480 through the City of North Ridgeville in Lorain County. This project includes repairing and resurfacing the roadway full width and the interchange ramps at Lorain*

## **5695-2020 Continued**

*Road. The resurfacing project goes from the toll booths of the Ohio Turnpike to the Cuyahoga County Line.*

*The project is currently scheduled to be constructed in the summer of 2021.*

### **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 Federal Highway Administration.*

### **SECTION IV - Maintenance**

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 which is 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 §121.22 of the Ohio Revised Code.

### **SECTION VII – Effective Date**

This Ordinance is hereby declared to be an emergency measure, the emergency being in order to meet the ODOT deadline of January 15, 2020. 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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**5696-2020 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 RANGER WAY EXTENSION PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$1,611,610.00 AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ranger Way will be extended approximately 1,600 feet from where it currently ends at the northern driveway of the North Ridgeville School's Academic Center south to Bainbridge Road; and

**WHEREAS**, the extension of Ranger Way will provide safe and efficient passage for the emergency vehicles from the new Fire Station located on Ranger Way; and

**WHEREAS**, the project will include the realignment of both Kensington Drive and the Academic Center's main campus drive in order to minimize access points along Bainbridge Road thereby reducing additional points of conflict; and

**WHEREAS**, bidding documents for the construction work to extend Ranger Way will be available in the Engineering Department for this project; and

**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 Ranger Way Extension Project and other appurtenances in an amount not to exceed \$1,611,610.10.

**SECTION 2.** The cost for said project shall be paid from the appropriate 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 is hereby declared to be an emergency measure, the emergency being in order to complete the project before the start of school which is August 20, 2020. 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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**5697-2020 AN ORDINANCE AMENDING ORDINANCE NO. 4275-2006 BY INCREASING THE COMPENSATION FOR THE CLERK OF COUNCIL AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Council of the City of North Ridgeville has not approved a salary increase for the Clerk of Council since May 15, 2006.

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

**SECTION 1.** This Council hereby amends Ordinance No. 4275-2006 to increase the Clerk of Council's compensation from \$7,100.00 to \$8,100 annually, with a two percent (2%) increase annually, *effective January 1, 2020.*

**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.** This Ordinance is hereby declared to be an emergency measure, the emergency being in order to process the increase in a timely manner. 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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**5698-2020 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT TO A GROUND LEASE AGREEMENT, A PARTIAL ASSIGNMENT OF INTEREST IN GROUND LEASE, AND A REAL ESTATE PURCHASE AGREEMENT FOR THE SALE OF 2.372 ACRES LOCATED IN "VICTORY PARK" OWNED BY THE CITY OF NORTH RIDGEVILLE AND UNDER A CURRENT LEASE WITH PMJ PARK HOLDINGS TO THE BUYER, BLUE MARBLE VICTORY LANE, LLC, FOR THE PURPOSE OF EXPANDING ITS EXISTING BUSINESS AND/OR ADDING ADDITIONAL PARKING.**

**WHEREAS**, the City of North Ridgeville is the owner of approximately 67 acres of land located on Victory Lane, identified as permanent parcel no. 07-00-003-102-094 in the Lorain County records; and

**WHEREAS**, the City's parcel is currently subject to a 50 year lease with a tenant known as PMJ Park Holdings, LLC which operates a sports park facility known as Victory Sports Park; and

**WHEREAS**, because of the PMJ Park Holdings lease, the City property located at Victory Lane is not available for purchase to the general public unless PMJ releases their leasehold interest; and

**5698-2020 Continued**

**WHEREAS**, in 2015, as authorized by Ordinance no. 5258-2015, the City sold a 3 acre parcel fronting Victory Lane to Blue Marble Realty, LLC, a private business, for the construction of athletic training facilities at the site. The leaseholder, PMJ Park Holdings, LLC released their leasehold interest in those defined 3 acres to facilitate the sale. The buyer, Blue Marble Realty, LLC then proceeded to construct the athletic training facility which exists today as an ongoing enterprise known as Method Sports and Fitness. That private business now wishes to expand their operation, and seek to acquire 2.372 acres of the City's land immediately adjacent to their parcel in order to do so; and

**WHEREAS**, the lease holder, PMJ Park Holdings, LLC, has expressed their desire to release their lease interest in that 2.372 acres in order to allow the City to sell to the expanding business. Attached to this Ordinance as **Exhibit "A"** is a Site Plan and Easement Description (split parcel) of the subject 2.372 acres of City property.

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

**SECTION 1.** City Council finds that the identified 2.372 acres of City property is not needed for a municipal purpose. Further, Council finds that because of the current lease encumbering the property, and in recognition of the unique benefit the acquisition of the property has for the expansion of an existing business and the resulting increase in economic activity that expansion will bring to the City, this property may be sold to this specific buyer without public advertising and bidding as a lawful exercise of powers provided by the Charter of the City of North Ridgeville and the Constitution of the State of Ohio.

**SECTION 2.** The Mayor of the City of North Ridgeville is hereby authorized to enter into an agreement with Blue Marble Realty, LLC for the sale of the identified real property located on Victory Lane for the amount of \$10,000.00, the terms of which being in substantially the same form as set forth in **Exhibit "B"** attached hereto and incorporated herein by reference.

**SECTION 3.** City Council consents to the release of PMJ's leasehold interest in the property in order to free the parcel for sale, and authorizes the Mayor to amend the Ground Lease so that the property is no longer subject to any obligations thereunder, the terms of which being in substantially the same form as set forth in **Exhibit "C"** attached hereto and incorporated herein by reference.

**SECTION 4.** The sale of said real property shall be consummated in such manner and on such terms as the Director of Law may approve.

**SECTION 5.** The proceeds of the sale of this property shall be deposited into the appropriate fund.

**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.

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## CITY COUNCIL MEETING DATES FOR 2020

|                   |                   |                    |
|-------------------|-------------------|--------------------|
| January 6, 2020   | January 21, 2020  | February 3, 2020   |
| February 18, 2020 | March 2, 2020     | March 16, 2020     |
| April 6, 2020     | April 20, 2020    | May 4, 2020        |
| May 18, 2020      | June 1, 2020      | June 15, 2020      |
| July 6, 2020      | July 20, 2020     | August 3, 2020     |
| August 17, 2020   | September 8, 2020 | September 21, 2020 |
| October 5, 2020   | October 19, 2020  | November 2, 2020   |
| November 16, 2020 | December 7, 2020  | December 21, 2020  |

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