



## 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)

**5483-2017 AN ORDINANCE AUTHORIZING THE SALE OF VEHICLES NO LONGER NEEDED FOR MUNICIPAL PURPOSES.**

**WHEREAS**, the City of North Ridgeville has a number of vehicles which are obsolete, and/or not needed, and/or unfit for public use; and

**WHEREAS**, the sale of such property is one of the powers of local self-government, conferred by Section 3, Article XVIII of the Ohio Constitution when exercised in conjunction with the general law; and

**WHEREAS**, O.R.C. §721.15(A) provides that such sale be authorized by the passage of an authorizing ordinance when the estimated value of the property is more than \$1,000.00, that the vehicle goes to the highest and best bidder, and that the sale be advertised as required under the statute; and

**WHEREAS**, the North Ridgeville City Council finds that the value of each vehicle is more than \$1,000.00; and further finds that due to the large number of vehicles, the sale will better be accomplished through the services of the Greater Cleveland Auto Auction, and that such sale is also required to comply with O.R.C. §721.15(A).

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

**SECTION 1.** City Council finds the following vehicles no longer serve a municipal purpose and hereby approves the sale of the obsolete/unneeded/unfit vehicles in the manner authorized by law and the proceeds be deposited into the appropriate account:

**5483-2017 Continued**

<u>Description</u>	<u>Serial Number</u>
<b><u>Parks</u></b>	
2007 Ford Taurus	1FAFP53U17A170329
<b><u>Engineering</u></b>	
2007 Ford Escape	1FMYU92Z17KA75176
2007 Ford Escape	1FMYU92Z37KA75177
2007 Ford Escape	1FMYU92Z57KA5178
2007 Ford Escape	1FMYU92Z77KA75179
<b><u>Building</u></b>	
2007 Ford Taurus	1FAFP53UX7A170328
2007 Ford Escape	1FMYU92ZX7KA75175
2007 Ford Focus	1FAHP31N27W177219
2007 Ford Focus	1FAHP31N97W177220
2007 Ford Focus	1FAHP31N07W177221
2007 Ford Focus	1FAHP31N27W177222
2007 Ford Focus	1FAHP31N47W177223
<b><u>Service</u></b>	
1996 Ford L8000	1FDYK82E7SVA62436
2004 GMC Safari	1GTDM19X64B507667
2001 Ford E-350 Box Van	1FDWE35L41HA52844
1999 Ford F-550 Dump Truck	1FDAF57F9XEE75472
2003 GMC Envoy	1GKDS13S432404379
<b><u>French Creek</u></b>	
2008 Chevy Impala	2G1WT55K289183579
2004 Dodge Dakota	1D7HG38K34S642847
2004 Ford F-350 Pickup Dump	1FDWF37P64EC22110

**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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**5484-2017      AN ORDINANCE AMENDING ORDINANCE NO. 5466-2017 FOR THE LOR-10C-0.50 I-480 AND SR-10 EASTBOUND ON RAMP ROADWAY AND TRAFFIC SIGNAL IMPROVEMENT PROJECT AND OTHER APPURTENANCES, BY INCREASING THE AMOUNT FROM \$460,000.00 TO \$504,002.60 AND DECLARING AN EMERGENCY.**

**5484-2017 Continued**

**WHEREAS**, the lowest bid received for the Lorain Road and I-480 eastbound on ramp roadway and traffic signal modifications project was higher than the estimated cost; and

**WHEREAS**, the Ohio Department of Transportation's share of the cost of this project is capped at \$414,000.00, therefore the City's share will need to be increased from \$46,000.00 to \$90,002.60.

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

**SECTION 1.** Ordinance No. 5466-2017 is hereby amended by increasing the amount from \$460,000.00 to \$504,002.60 for the Lorain Road and I-480 eastbound on ramp roadway and traffic signal improvement project and other appurtenances.

**SECTION 2.** All other sections, terms and provisions of Ordinance No. 5466-2017 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

**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 award the contract within thirty days. 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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**5485-2017 AN ORDINANCE ESTABLISHING AN ANNUAL SALARY AND BENEFITS FOR THE PARKS AND RECREATION DIRECTOR AND AMENDING EXHIBIT "A" OF THE DEPARTMENT HEAD SALARY ORDINANCE NO. 2725-93 AND SUBSEQUENT AMENDMENTS THERETO.**

**WHEREAS**, the North Ridgeville City Council and the Administration wish to cease the practice of hourly compensation for the position of Parks and Recreation Director and instead establish an annual salary with defined benefits assigned to the position.

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

**SECTION 1.** An annual salary range of \$58,000.00 to \$72,000.00 is hereby established for the Parks and Recreation Director. This position shall not be eligible for the award, payment or accrual of overtime.

**5485-2017 Continued**

**SECTION 2.** The Parks and Recreation Director shall receive the following benefits:

- A) Vacation days (days off work only, without accruing hours) as scheduled as provided by the terms of the AFSCME collective bargaining agreement based upon term of employment with the City, or as otherwise assigned by the Mayor commensurate with the experience of the employee.
- B) Medical, prescription and dental insurance benefits as provided in Article 28 of the currently effective AFSCME Contract, as well as Sick Leave as provided in Article 19 of that Contract. Any subsequent modifications of these contractually defined benefits occurring during future negotiations or collective bargaining processes shall be equally applicable to the Parks and Recreation Director position.
- C) As per Ordinance No. 5007-2013, the 4% employer pension “pick-up” consistent with the pension “pick-up” benefit provided by the collective bargaining agreement in effect.
- D) The annual salary of the Parks and Recreation Director shall increase periodically in the same percentage as that average percentage increase in wages as is from time to time negotiated by the various collective bargaining units of the City of North Ridgeville in order to maintain wage parity.

**SECTION 3.** This Ordinance shall be retroactive to the pay period beginning April 16, 2017. Any previous Ordinance or Resolution, including Ordinance No. 2725-93, et seq. and Ordinance No. 153-63, which contain provisions identifying the compensation, wages, and/or salary benefits conferred to the position of Parks and Recreation Director is hereby superseded by the passage of this 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 Section 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)**

**1410-2017      A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO ZASHIN & RICH CO., L.P.A. FOR LEGAL SERVICES RENDERED IN CONNECTION WITH THE FAIR LABOR STANDARDS ACT LAWSUIT AND DECLARING AN EMERGENCY.**

**1410-2017 Continued**

**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**, Zashin & Rich Co., L.P.A. is currently providing legal services to the City in connection with the FLSA lawsuit, and serves a necessary public purpose; and

**WHEREAS**, Invoice No. 98129 for legal services rendered in July of this year by Zashin & Rich Co., L.P.A. has exceeded the city fiscal officer's certification of available funds by \$7,160.16, and there is the expectation that other invoices 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 Zashin & Rich Co., L.P.A. for legal services provided to the City in connection with the FLSA lawsuit which amount has exceeded the Auditor's certification.

**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 immediate necessity to pay the invoice timely. 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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**1411-2017      A RESOLUTION AUTHORIZING THE NORTH RIDGEVILLE CIVIL SERVICE COMMISSION TO ADOPT AND CONTINUE TO FOLLOW RULE VII, SECTION 2 REGARDING THE LENGTH OF TIME ELIGIBILITY LISTS MUST CONTINUE TO BE EFFECTIVE.**

**WHEREAS**, the current wording of the Civil Service Commission Rule VII, Section 2 substantially followed the wording of Ohio Revised Code Section 124.46 before that section was amended by the State; and

**1411-2017 Continued**

**WHEREAS**, the current O.R.C. §124.46 mandates that eligibility lists “shall continue for two years” in contrast to North Ridgeville Civil Service Commission Rule VII, Section 2 which provides that the eligibility list may be fixed by the Commission from one to two years; and

**WHEREAS**, the North Ridgeville Civil Service Commission, Fire Chief and City Administration find that the safety services of the municipality benefit by continuing to afford the Commission the ability to generate a new list after only one year as well; and

**WHEREAS**, pursuant to the Ohio Supreme Court in *Bednar v. City of North Canton*, the legislative authority of a Charter City may approve civil service rules which differ from the Ohio Revised Code, and by this Resolution, Council seeks to reinforce and confirm that existing authority; and

**WHEREAS**, the North Ridgeville Fire Department and other fire departments in the area are experiencing a shortage of qualified or available applicants as numerous departments compete for a shrinking pool of applicants; and

**WHEREAS**, the Civil Service Commission finds that the Fire Department may be unable to secure the number of candidates for the vacant positions that require filing from the existing eligibility list, and thus seeks to dispose of the existing depleted list and retest in order to accumulate an adequate group of viable candidates for appointment.

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

**SECTION 1.** Civil Service Commission Rule VII, Section 2, which currently allows “the term or eligibility of each list and the names appearing thereon shall be fixed by the Commission at not less than one (1) or more than two (2) years” is deemed appropriate and found to serve the best interests of the municipality.

**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 shall take effect and be in full force from and after the earliest period allowed by law.

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### 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 5, 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

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