



## 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)**

**1474-2019 A RESOLUTION AMENDING RESOLUTION NO. 1469-2019 WHICH APPROVED TRANSFERS FROM THE GENERAL FUND AND DECLARING AN EMERGENCY.**

**WHEREAS**, on November 4, 2019, the City Council passed Resolution No. 1469-2019 which approved the transfer of funds from the General Fund to the Capital Projects Fund for the Ranger Way Extension Project; and

**WHEREAS**, the Ranger Way Extension Project will be accounted for in a separate fund and shall be financed in part with bond anticipation notes to be issued in 2020.

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

**SECTION 1.** Resolution No. 1469-2019, Section 1 currently states:

“The City auditor is authorized to transfer \$800,000 from the General Fund to the Capital Projects Fund and such resources shall be committed for the Ranger Way Extension.”

Section 1 shall now be amended to:

The City Auditor is authorized to transfer \$800,000 from the General Fund to the Ranger Way Improvement Fund.

**SECTION 2.** The proceeds from the bond anticipation notes shall be expended prior to the funds transferred from the General Fund and if any of the transferred funds are not needed they shall be returned to the General Fund at or near the completion of the purchase.

**SECTION 3.** It is found and determined that all formal actions of this Council concerning and relating to the passage 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

**1474-2019 Continued**

meetings open to the public, and in compliance with all legal requirements, including §121.22 of the Ohio Revised Code.

**SECTION 4.** This Resolution is hereby declared to be an emergency measure, the emergency being in order to transfer the funds in a timely manner. 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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**ORDINANCE(S)**

**5687-2019 AN ORDINANCE AUTHORIZING THE DISPOSAL OF VEHICLES AND EQUIPMENT NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND DECLARING AN EMERGENCY.**

**WHEREAS,** the City of North Ridgeville has a number of vehicles and equipment 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 trade-in or 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 equipment and vehicles no longer serve a municipal purpose and hereby approves the sale or trade-in of the obsolete/unneeded/unfit vehicles in the manner authorized by law and the proceeds be deposited into the appropriate account:

**5687-2019 Continued**

<u>Description</u>	<u>Serial No.</u>
2002 Jeep Grand Cherokee	1J4GW48N22C179593
2006 Ford Explorer	1FMEU72E46UB73030
2010 Dodge Charger	2B3CJ4DV4AH104190
2008 BMW 528	WBANV13588CZ54149
1995 Ford F250 4X4	1FTHX26H0SKB17950

**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 in order to expedite the auction of the City vehicles no longer needed. 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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**5688-2019 AN ORDINANCE AMENDING ORDINANCE NUMBER 5595-2018 OF THE CITY OF NORTH RIDGEVILLE, OHIO, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2019 AND DECLARING AN EMERGENCY.**

**WHEREAS,** it is necessary to amend the appropriations for certain funds and appropriate other amounts for the operations 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, 2019 and ending December 31, 2019, Ordinance No. 5595-2018 is hereby supplemented in the following amounts 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 the amounts as follows:

**5688-2019 Continued**

Fund Number	Fund	Personal Services	Other	Transfers and Advances	Total
101	<b>General Fund</b>				
	Safety-Service Director	\$30,000	\$0	\$0	\$30,000
Total General Fund		30,000	0	0	30,000
<b>Other Funds</b>					
260	Fire Levy	10,000	5,000	0	15,000
263	Paramedic Levy	10,000	0	0	10,000
267	State/Local Grants	0	52,222	0	52,222
299	Library Levy	0	900	0	900
438	OPWC Concrete Streets	0	(450,000)	0	(450,000)
482	TIF Improvement #3	0	710	0	710
483	TIF Improvement #4	0	76	0	76
484	TIF Improvement #5	0	174	0	174
485	TIF Improvement #6	0	133	0	133
487	TIF Improvement #8	0	201	0	201
640	Sewer, Operations, Other	33,000	210,000	0	243,000
675	French Creek Bond Retirement	0	1,100	0	1,100
730	City Garage	32,000	0	0	32,000
890	Trust Misc.	0	250,000	0	250,000
Total Other Funds		85,000	70,516	0	155,516
Total All Funds		\$115,000	\$70,516	\$0	\$185,516

**SECTION 3.** That appropriated amounts be transferred as presented below:

From	To	Amount
<b>General Fund</b>		
Human Resources, Personal Services	Building, Personal Services	\$16,000
General Government, Other	Income Tax, Other	35,000
Law, Other	Fire, Personal Services	30,000
<b>Other Funds</b>		
Street M&R, Other	Street M&R, Personal Services	5,000
City Garage, Other	City Garage, Personal Services	30,000

**SECTION 4.** 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 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 5.** 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.

**5688-2019 Continued**

**SECTION 6.** This Ordinance is hereby declared to be an emergency measure, the emergency being in order to make the appropriations 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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**5689-2019 AN ORDINANCE ESTABLISHING THE RANGER WAY EXTENSION FUND AND DECLARING AN EMERGENCY.**

**WHEREAS,** the City of North Ridgeville anticipates the issuance of bond anticipation notes to finance the construction of the extension of Ranger Way; and

**WHEREAS,** in accordance with Ohio Revised Code Section 5705.09(E), a special fund is required for the bond anticipation note proceeds.

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

**SECTION 1.** There is hereby established the “*Ranger Way Extension Fund*” to account for the debt proceeds and other sources provided for the project.

**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 in order to establish the account the money needs to go into. 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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**5690-2019 AN ORDINANCE PROVIDING APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF NORTH RIDGEVILLE, OHIO, FOR THE PERIOD COMMENCING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020 AND DECLARING AN EMERGENCY.**

**WHEREAS,** it is necessary to pass an annual appropriation Ordinance providing for the current expenses and other expenditures of the City of North Ridgeville, Ohio.

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

**5690-2019 Continued**

**SECTION 1.** That to provide for current and other expenditures for the City of North Ridgeville, Ohio for the period commencing January 1, 2020 and ending December 31, 2020, the sums presented in Exhibit "A" are hereby set aside and appropriated.

**SECTION 2.** That the Auditor of the City of North Ridgeville is hereby authorized to draw warrants, Automated Clearing House transactions or Wire Transfers 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 3.** The Auditor is hereby authorized to allocate or reallocate funds to accounts that are within the fund, department, and major objects of expenditure established by the appropriations approved in this Ordinance or in any other Ordinance approved by Council.

**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.** This Ordinance is hereby declared to be an emergency measure, the emergency being in order to have appropriations in place by January 1, 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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**5691-2019      AN ORDINANCE INCREASING THE WHOLESALE RATE OF WASTEWATER TREATMENT SERVICES PROVIDED BY THE FRENCH CREEK WASTEWATER TREATMENT PLANT AND DECLARING AN EMERGENCY.**

**WHEREAS,** due to the increased cost of treating wastewater and maintaining a wastewater delivery and treatment system and the continually expanding EPA standards and mandates, the current rate charged to the three member communities for wastewater treatment has become insufficient; and

**WHEREAS,** as a result of a professional engineering study of the cost of the service in relation to the rates charged which has recommended an increase in the wholesale rate, it has become necessary to increase the rate at which the three communities serviced by the FCWWTP are charged for wastewater treatment.

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

**5691-2019 Continued**

**SECTION 1.** The wholesale rate charged by FCWWTP to the communities of North Ridgeville, Avon, and Sheffield Village for wastewater treatment shall be increased by four percent (4%) above the current rate, 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 have the wholesale rates effective for the first billing cycle of 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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**5692-2019      AN ORDINANCE AMENDING SECTION 1240.01 OF THE CODIFIED ORDINANCES OF THE CITY OF NORTH RIDGEVILLE, OHIO, KNOWN AS THE ZONING CODE ORDINANCE, TO REZONE THE FOLLOWING LAND: LOCATED AT 7385 RACE ROAD; PARCEL NUMBER 07-00-034-000-137 AND OWNED BY UYA HOLDINGS, LLC FROM R-1 RESIDENCE DISTRICT AND B-3 HIGHWAY COMMERCIAL DISTRICT TO B-3 HIGHWAY COMMERCIAL DISTRICT.**

**WHEREAS**, by the present official zoning map and zoning Ordinance of the City of North Ridgeville, County of Lorain and State of Ohio, the following described parcel is situated in an R-1 Residence District and a B-3 Highway Commercial District; and

**WHEREAS**, the parcel described in the attached **Exhibit “A”** is owned by UYA Holdings, LLC; and

**WHEREAS**, in the opinion of City Council and upon the recommendation of the North Ridgeville Planning Commission, it would be conducive to the public welfare and safety and not detrimental to the community to have said real estate parcel rezoned from R-1 Residence District and B-3 Highway Commercial District to B-3 Highway Commercial District.

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

**SECTION 1.** Section 1240.01 of the codified Ordinances of the City of North Ridgeville, Ohio, being the zoning Ordinances of said City, and the official zoning map appended thereto in Sections 1248.01 and 1248.02, be and the same is hereby amended so as to provide that from and after the effective date of

**5692-2019 Continued**

this Ordinance, the following described land, located at 7385 Race Road; Parcel number 07-00-034-000-137 owned by UYA Holdings, LLC shall be and hereby is changed from R-1 Residence District and B-3 Highway Commercial District to B-3 Highway Commercial District and more particularly described in the attached Exhibit "A".

**SECTION 2.** That upon the effective date of this Ordinance, the Chief Building Official shall cause the official zoning map to be changed and corrected so as to show the B-3 Highway Commercial District created.

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

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**5693-2019      AN ORDINANCE AMENDING N.R.C.O. SECTION 1224.05(b)(4) APPROVAL  
PROCEDURE FOR SUBDIVISIONS INVOLVING MORE THAN FIVE LOTS.**

**WHEREAS**, the Ohio Supreme Court in *Wesolowski v. Broadview Hts. Planning Commission* has ruled that the municipal rules governing the subdivision of land are an exercise of police powers; and

**WHEREAS**, the exercise of police powers must not conflict with the Ohio Revised Code; and

**WHEREAS**, Ohio Revised Code Section 711.09(C) requires that the Planning Commission approve or deny subdivision applications within thirty (30) days after submission of the plat for approval; and

**WHEREAS**, N.R.C.O. Section 1224.05(b)(4) currently states that "The approval or disapproval of the Commission shall take place within forty-five days after the submission of the plat for approval, or within such further time as the applying party may agree to; otherwise, such plat shall be deemed approved, and the certificate of the Commission as to the date of the submission of the plat for approval and the failure to take action thereon within such time shall be sufficient in lieu of the written endorsement or evidence of approval required by this section."

**WHEREAS**, the City and the Council wish to conform North Ridgeville ordinances to the Ohio Revised Code where necessary.

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



**5693-2019 Continued**

**SECTION 1.** N.R.C.O. Section 1224.05(b)(4) shall be amended to replace the word “forty-five” with the word “thirty”.

**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 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 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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