



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.

RESOLUTION(S)

(The following Resolution(s) were passed by City Council on February 2, 2015)

1333-2015

A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM ADRIAN T. FREDERICK AND PATRICIA FREDERICK (PARCEL 39 T-1 AND 39 T-2) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville, pursuant to a contract with the Ohio Department of Transportation, has undertaken a project to widen and expand Lear Nagle Road in the City of North Ridgeville; and

WHEREAS, pursuant to the provisions of O.R.C. Chapter 163 and O.R.C. §719.04, it is deemed necessary for the City of North Ridgeville to appropriate various interests in real estate in order to construct the Lear Nagle Road widening project; and

WHEREAS, temporary construction easements (as described in **Exhibits "A" and "B"**) over real estate owned by Adrian and Patricia Frederick (acquisition sketch of total parcel is attached as **Exhibit "C"**) have been identified as necessary for the Lear Nagle Road widening and expansion project; and

WHEREAS, The Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. §163.04, was submitted to the property owner(s) by certified mail on November 6, 2014, and received on November 8, 2014, as confirmed by certified mail return receipt.

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

SECTION 1. Council hereby declares the necessity and intent to appropriate temporary construction easements from a portion of real estate owned by Adrian and Patricia Frederick, being known as Permanent Parcel No. 07-00-004-104-003; the real estate being appropriated is designated as Parcel 39 T-1 and 39 T-2.

SECTION 2. A legal description of the necessary property interests which shall be acquired are attached hereto and labeled as **Exhibits "A" and "B"**.

1333-2015 Continued

SECTION 3. Council hereby declares that the purpose of said appropriation is for the widening and expansion of Lear Nagle Road, a road which shall be opened to the public without charge, and as such is a “public use” as defined in O.R.C. §163.01(H)(2).

SECTION 4. The Mayor shall be and hereby is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owner(s) of the above-described real estate, said notice to be served by the Mayor or such other person as he may designate, such person to make return of service as provided by law.

SECTION 5. 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 6. This Resolution is hereby declared to be an emergency measure for the purposes of moving the project forward in the time frame that ODOT has outlined for the City. WHEREFORE, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1334-2015 A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM CASIMIR WIECZOREK AND VICKY WIECZOREK (PARCEL 57 SH, T) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville, pursuant to a contract with the Ohio Department of Transportation, has undertaken a project to widen and expand Lear Nagle Road in the City of North Ridgeville; and

WHEREAS, pursuant to the provisions of O.R.C. Chapter 163 and O.R.C. §719.04, it is deemed necessary for the City of North Ridgeville to appropriate various interests in real estate in order to construct the Lear Nagle Road widening project; and

WHEREAS, a standard highway easement and a temporary construction easement (as described in **Exhibits “A” and “B”**) over real estate owned by Casimir and Vicky Wieczorek (acquisition sketch of total parcel attached as **Exhibit “C”**) have been identified as necessary for the Lear Nagle Road widening and expansion project; and

WHEREAS, The Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. §163.04, was submitted to the property owner(s) by hand delivery on November 3, 2014.

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

SECTION 1. Council hereby declares the necessity and intent to appropriate temporary construction easements from a portion of real estate owned by Casimir and Vicky Wieczorek, being known as Permanent Parcel No. 07-00-000-107-037; the real estate being appropriated is designated as Parcel 57 SH, T.

SECTION 2. Legal descriptions of the necessary property interests which shall be acquired are attached hereto and labeled as **Exhibits “A” and “B”**.

1334-2015 Continued

SECTION 3. Council hereby declares that the purpose of said appropriation is for the widening and expansion of Lear Nagle Road, a road which shall be opened to the public without charge, and as such is a “public use” as defined in O.R.C. §163.01(H)(2).

SECTION 4. The Mayor shall be and hereby is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owner(s) of the above-described real estate, said notice to be served by the Mayor or such other person as he may designate, such person to make return of service as provided by law.

SECTION 5. 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 6. This Resolution is hereby declared to be an emergency measure for the purposes of moving the project forward in the time frame that ODOT has outlined for the City. WHEREFORE, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1335-2015 A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM KARA L. PAGE (PARCEL 17 WD, SH, T) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville, pursuant to a contract with the Ohio Department of Transportation, has undertaken a project to widen and expand Lear Nagle Road in the City of North Ridgeville; and

WHEREAS, pursuant to the provisions of O.R.C. Chapter 163 and O.R.C. §719.04, it is deemed necessary for the City of North Ridgeville to appropriate various interests in real estate in order to construct the Lear Nagle Road widening project; and

WHEREAS, A fee simple interest, a standard highway easement, and a temporary construction easement (as described in **Exhibits “A”, “B” and “C”**) over real estate owned by Kara L. Page (acquisition sketch of total parcel is attached as **Exhibit “D”**) have been identified as necessary for the Lear Nagle Road widening and expansion project; and

WHEREAS, The Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. §163.04, was submitted to the property owner(s) by e-mail on October 20, 2014, as confirmed by e-mail response from the property owner.

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

SECTION 1. Council hereby declares the necessity and intent to appropriate temporary construction easements from a portion of real estate owned by Kara L. Page, being known as Permanent Parcel No. 07-00-004-108-067; the real estate being appropriated is designated as Parcel 17 WD, SH, T.

SECTION 2. A legal description of the necessary property interests which shall be acquired are attached hereto and labeled as **Exhibits “A”, “B” and “C”**.

1335-2015 Continued

SECTION 3. Council hereby declares that the purpose of said appropriation is for the widening and expansion of Lear Nagle Road, a road which shall be opened to the public without charge, and as such is a “public use” as defined in O.R.C. §163.01(H)(2).

SECTION 4. The Mayor shall be and hereby is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owner(s) of the above-described real estate, said notice to be served by the Mayor or such other person as he may designate, such person to make return of service as provided by law.

SECTION 5. 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 6. This Resolution is hereby declared to be an emergency measure for the purposes of moving the project forward in the time frame that ODOT has outlined for the City. WHEREFORE, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1336-2015 A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM KARA L. PAGE (PARCEL 16WD, SH, T) FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville, pursuant to a contract with the Ohio Department of Transportation, has undertaken a project to widen and expand Lear Nagle Road in the City of North Ridgeville; and

WHEREAS, pursuant to the provisions of O.R.C. Chapter 163 and O.R.C. §719.04, it is deemed necessary for the City of North Ridgeville to appropriate various interests in real estate in order to construct the Lear Nagle Road widening project; and

WHEREAS, A fee simple interest, a standard highway easement, and a temporary construction easement (as described in **Exhibits “A”, “B” and “C”**) over real estate owned by Kara L. Page (acquisition sketch of total parcel is attached as **Exhibit “D”**) have been identified as necessary for the Lear Nagle Road widening and expansion project; and

WHEREAS, The Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. §163.04, was submitted to the property owner September 9, 2014, by personal hand delivery.

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

SECTION 1. Council hereby declares the necessity and intent to appropriate temporary construction easements from a portion of real estate owned by Kara L. Page, being known as Permanent Parcel No. 07-00-004-108-068; the real estate being appropriated is designated as Parcel 16WD, SH, T.

SECTION 2. A legal description of the necessary property interests which shall be acquired are attached hereto and labeled as **Exhibits “A”, “B” and “C”**.

1336-2015 Continued

SECTION 3. Council hereby declares that the purpose of said appropriation is for the widening and expansion of Lear Nagle Road, a road which shall be opened to the public without charge, and as such is a “public use” as defined in O.R.C. §163.01(H)(2).

SECTION 4. The Mayor shall be and hereby is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owner(s) of the above-described real estate, said notice to be served by the Mayor or such other person as he may designate, such person to make return of service as provided by law.

SECTION 5. 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 6. This Resolution is hereby declared to be an emergency measure for the purposes of moving the project forward in the time frame that ODOT has outlined for the City. WHEREFORE, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

ORDINANCE(S)

(The following Ordinance(s) were passed by City Council on February 2, 2015)

5199-2015 AN ORDINANCE APPROPRIATING, VALUING, AND TAKING IMMEDIATE POSSESSION OF AN INTEREST IN REAL PROPERTY FOR THE PURPOSE OF WIDENING AND EXPANDING LEAR NAGLE ROAD ACROSS REAL PROPERTY HAVING PERMANENT PARCEL NO. 07-00-004-104-056 AND DECLARING AN EMERGENCY.

WHEREAS, on January 5, 2015, the North Ridgeville City Council adopted Resolution No. 1328-2015, declaring the necessity and intent to appropriate a fee simple interest in the hereinafter described real estate; and

WHEREAS, City Council, pursuant to O.R.C. §719.05, now deems it necessary to appropriate and take immediate possession of the interest for the purposes as hereinafter set forth.

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

SECTION 1. A fee simple interest (as described in **Exhibit “A”**) and a Temporary Construction Easement (as described in **Exhibit “B”**) in real estate owned by Kaitlin A. Barick, Rory G. O’Malley and Diane L. Fannin (acquisition sketch of total parcel attached as **Exhibit “C”**), the same being part of the real estate known as Lorain County Permanent Parcel No. 07-00-004-104-056 and designated as Parcel 25 WD, T, is hereby appropriated for the public purpose of widening and expanding Lear Nagle Road, a road which shall be opened to the public without charge.

SECTION 2. This appropriation is made in accordance with Resolution No. 1328-2015 adopted by the North Ridgeville City Council on January 5, 2015. The same Resolution was served in a manner prescribed by law upon the record owner of the real property as notice of intent to acquire the necessary property interest on January 15, 2015.

5199-2015 Continued

SECTION 3. City Council hereby fixes the value of the property interest, being a temporary construction easement, as well as any damages to the residue at \$2,000.00, which sum shall be deposited pursuant to Ohio Revised Code §163.06 with the Clerk of the Lorain County Probate Court , upon filing of a Petition for Appropriation for the use and benefit of the owner(s) of the real estate being appropriated.

SECTION 4. Upon the deposit of the aforementioned \$2,000.00, the City of North Ridgeville shall take immediate possession of and enter upon the real estate pursuant to law, in accordance with the terms of the Deed and Temporary Construction Easement described in attached **Exhibits “A” and “B”**.

SECTION 5. City Council finds that the appropriation is necessary for the stated public purpose; that the City of North Ridgeville has been unable to agree with the owner(s) as to the purchase of said real estate interests; and that immediate possession of the real estate to be appropriated is necessary for the purpose of making or repairing a road which shall be open to the public without charge.

SECTION 6. The City Law Director is directed to file a Petition for Appropriation in the Lorain County Court of Common Pleas, Probate Division, in order to immediately gain title to the necessary property interest, and to have a jury empanelled to assess the compensation to be paid for the interest acquired.

SECTION 7. \$2,000.00, or so much thereof as may be needed, shall be appropriated from the appropriate fund.

SECTION 8. 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 9. This Ordinance is hereby declared to be an emergency measure for the purposes of moving the project forward in the time frame that ODOT has outlined for the City. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

**5200-2015 AN ORDINANCE AMENDING NORTH RIDGEVILLE CODE SECTION 1046.05
WATER RATES BY ELIMINATING THE AUTOMATIC WATER RATE
INCREASE FOR THE YEAR 2015.**

WHEREAS, per N.R.C.O. Section 1046.05(d), water rates increase annually based upon a water rate formula calculated every year by the City Engineer; and

WHEREAS, the City Engineer has calculated a .933% rate increase for 2015; and

WHEREAS, due to the City accumulating a surplus in its water accounts, City Council and the City Administration desire to provide relief to the citizens of North Ridgeville by eliminating the automatic water rate increase for the year 2015.

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

5200-2015 Continued

SECTION 1. N.R.C.O. Section 1046.05 *Water Rates* is hereby amended by eliminating the calculated water rate increase for the year 2015.

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.

CITY COUNCIL MEETING DATES FOR 2015

January 5, 2015	January 20, 2015	February 2, 2015
February 17, 2015	March 2, 2015	March 16, 2015
April 6, 2015	April 20, 2015	May 4, 2015
May 18, 2015	June 1, 2015	June 15, 2015
July 6, 2015	July 20, 2015	August 3, 2015
August 17, 2015	September 8, 2015	September 21, 2015
October 5, 2015	October 19, 2015	November 2, 2015
November 16, 2015	December 7, 2015	December 21, 2015

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