



## 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)

**1452-2019 A RESOLUTION AUTHORIZING THE EXECUTION OF THE JUDGEMENT BY CONSENT WHICH RESOLVES THE CASE CAPTIONED *TOWERCO, LLC, ET AL VS. THE CITY OF NORTH RIDGEVILLE* FILED IN THE UNITED STATES DISTRICT COURT, NORTHERN DISTRICT OF OHIO, EASTERN DIVISION, CASE NO. 5:18-CV-02922 AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of North Ridgeville has been named in a lawsuit filed in the United States District Court, Northern District of Ohio, Eastern Division, captioned *TowerCo, LLC, et al. vs. the City of North Ridgeville* (Case No. 5:18-CV-02922); and

**WHEREAS**, the claims against the City stem from the City Council's denial of an Application to build a cellular/telecommunications tower on City owned property; and

**WHEREAS**, City Council's denial of the Application stemmed, in part, from the fact that that other less intrusive alternative locations were not properly vetted; and

**WHEREAS**, the parties have found a less intrusive alternative location which satisfies City Council's concern; and

**WHEREAS**, the District Judge has indicated the parties should resolve this case via "Judgment by Consent".

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

**SECTION 1.** To resolve the above captioned litigation, the Mayor of the City of North Ridgeville is hereby authorized to execute the Judgment by Consent, attached as **Exhibit "A"**.

**1452-2019 Continued**

**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 in order to settle the federal lawsuit as the Judge has indicted he would like the agreement by April 16, 2019. 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)**

**5631-2019 AN ORDINANCE AMENDING ORDINANCE NUMBER 5595-2018 OF THE CITY OF NORTH RIDGEVILLE, OHIO PROVIDING 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 be and the same are 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 from the respective funds listed below, the amounts as follows:

**5631-2019 Continued**

Fund Number	Fund	Personal Services	Other	Transfers and Advances	Total
101	<b>General Fund</b>				
	Law	\$28,000	\$5,000	\$0	\$33,000
	Safety Service Director	9,200	1,500	0	10,700
Total General Fund		<u>37,200</u>	<u>6,500</u>	<u>0</u>	<u>43,700</u>
	<b>Other Funds</b>				
225	Street Levy	0	100,000	0	100,000
309	Income Tax debt Service	0	88,700	0	88,700
311	Central Fire Station Debt Service	0	26,400	0	26,400
333	Performance Lane TIF	0	333,000	0	333,000
361	Center Ridge Debt Service	0	88,000	0	88,000
410	Capital Projects	0	100,000	0	100,000
610	Water Operations	28,000	1,000	0	29,000
640	Sewer Operations	28,000	1,000	0	29,000
Total Other Funds		<u>56,000</u>	<u>738,100</u>	<u>0</u>	<u>794,100</u>
Total All Funds		<u>\$93,200</u>	<u>\$744,600</u>	<u>\$0</u>	<u>\$837,800</u>

**SECTION 3.** 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 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 the immediate necessity to provide for current expenditures. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

**5632-2019 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ACQUIRE EQUIPMENT AND ENTER INTO LEASE PURCHASE AGREEMENTS AND DECLARING AN EMERGENCY.**

**WHEREAS,** the City is in need of equipment for the operations of the Service Department; and

**WHEREAS,** the City is a member of the Ohio Cooperative Purchasing Program.

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

**5632-2019 Continued**

**SECTION 1.** The Mayor of the City of North Ridgeville is hereby authorized to acquire equipment through the Ohio Cooperative Purchasing Program and enter into a lease purchase agreement for the following:

	<b><u>Not to Exceed</u></b>
Kobelco SK55 Mini Excavator	\$78,000.00

**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 §121.22 of the Ohio Revised Code.

**SECTION 3.** This Ordinance is hereby declared to be an emergency measure, the emergency being due to the information being needed for the upcoming bond sale. 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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**5633-2019 AN ORDINANCE AMENDING ORDINANCE NO. 5601-2019 WHICH AMENDED CHAPTER 1444, BUILDING PERMITS, TO CORRECT TYPOGRAPHICAL ERRORS.**

**WHEREAS**, on January 22, 2019, City Council adopted Ordinance number 5601-2019.

**WHEREAS**, in Section 1444.03(a) (Residential Uses – Dwelling fee), the words “plus \$5.00 per 100 square feet” was deleted from the final draft in error.

**WHEREAS**, in Section 1444.03(10) (Residential Uses – Re-inspection fee) there was a numbering error regarding each re-inspection.

**WHEREAS**, in Section 1444.05(a) (Planning Approval Fees) the \$5.00 fee was changed to \$7.50 per 100 square feet of floor area (new work or renovation). The reference to the \$5.00 fee was never removed.

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

**SECTION 1:** Section 1444.03(a) (Residential Uses – Dwelling fee) shall read:

- (1) Dwelling fee..... \$750.00, plus \$5.00 per 100 square feet

**SECTION 2:** Section 1444.03(10) (Residential Uses – Re-inspection fee) shall read:

**5633-2019 Continued**

(10)	#1. Re-inspection fee .....	\$ 100.00
	#2. Re-inspection fee.....	\$ 200.00
	#3. Re-inspection fee.....	\$ 400.00
	#4. Re-inspection fee.....	\$ 500.00

**SECTION 3:** Section 1444.05(a) (Planning Approval Fees) shall read:

(a) A plan approval fee of five hundred twenty five dollars (\$525.00), plus seven dollars and fifty cents (\$7.50) per 100 square feet of floor area (new work or renovation), shall be charged for the examination of plans for all business, commercial or industrial buildings, including, but not limited to, apartment houses, places of assembly and business, industrial, commercial and institutional buildings. This fee shall be paid at the submission of application & plans for plan approval.

**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 an after the earliest period allowed by law.

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**CITY COUNCIL MEETING DATES FOR 2019**

January 7, 2019	January 22, 2019	February 4, 2019
February 19, 2019	March 4, 2019	March 18, 2019
April 1, 2019	April 15, 2019	May 6, 2019
May 20, 2019	June 3, 2019	June 17, 2019
July 1, 2019	July 15, 2019	August 5, 2019
August 19, 2019	September 3, 2019	September 16, 2019
October 7, 2019	October 21, 2019	November 4, 2019
November 18, 2019	December 2, 2019	December 16, 2019

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