



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.

ORDINANCE(S)

5352-2016 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE OR HIS DESIGNEE TO PUBLICLY ADVERTISE AND RECEIVE BIDS FOR THE SALE OF CERTAIN ITEMS/EQUIPMENT THAT NO LONGER SERVE A MUNICIPAL PURPOSE; TO SEEK QUOTES FOR THE PURCHASE OF A 2016 KOBELCO SK 140 STEEL TRACK EXCAVATOR AND AUXILIARY EQUIPMENT; TO HAVE THE SELLING PRICE OF THE ITEMIZED EQUIPMENT CREDITED AGAINST THE PURCHASE PRICE OF THE STEEL TRACK EXCAVATOR AND AUXILIARY EQUIPMENT; AND TO ENTER INTO AN AGREEMENT WITH THE LOWEST AND BEST BIDDER, NOT TO EXCEED \$185,000.00 (GROSS SALE PRICE).

WHEREAS, the following City-owned equipment is antiquated and no longer serves a municipal purpose: 1999 Case Backhoe; and

WHEREAS, the City would like to purchase a 2016 Kobelco SK 140 Steel Track Excavator with a brush cutter and buckets and auxiliary equipment, the value of which is approximately \$185,000.00; this excavator is bigger and more efficient than the other two City-owned excavators and will use less manpower; and

WHEREAS, it is in the best interest of the City that the sale of the above listed equipment be made simultaneously with the purchase of the 2016 Kobelco SK 140 Steel Track Excavator and auxiliary equipment in order to have the sale price (trade-in) of the above itemized item/equipment credited against the purchase price of the 2016 Kobelco SK 140 Steel Track Excavator and auxiliary equipment; and

WHEREAS, O.R.C. §721.15(b) authorizes the trade-in of used vehicles/equipment for new vehicles/equipment of the same type and requires that any such proposed trade-in of any municipal property that has a value in excess of \$1,000.00 be publicly advertised for sale or credit on trade-ins

5352-2016 Continued

and awarded to the lowest and best bidder, which shall be “determined by subtracting from the selling price of the vehicles, equipment, or machinery to be purchased by the municipal corporation the purchase price offered for the municipally-owned vehicles, equipment, or machinery;” and

WHEREAS, the City has received an offer to purchase the above item for approximately \$16,000.00; after receipt of the of the trade-in value of the above listed items, the net cost to the City for the 2016 Kobelco SK 140 Steel Track Excavator and auxiliary equipment will be approximately \$169,000.00.

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 or his designee is hereby authorized to publicly advertise and receive bids for the sale or trade-in of the above listed equipment that no longer serves a municipal purpose; to seek quotes for the purchase of a 2016 Kobelco SK 140 Steel Track Excavator and auxiliary equipment; to have the selling price of the itemized equipment credited against the purchase price of the 2016 Kobelco SK 140 Steel Track Excavator and auxiliary equipment; and to enter into an agreement with the lowest and best bidder, according to law and in a manner prescribed by law, not to exceed \$185,000.00 (gross sale price).

SECTION 2. The cost of the above transaction(s) shall be charged to and/or paid from the appropriate City 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 shall take effect and be in full force from and after the earliest period allowed by law.

5353-2016 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A 2016 INTERNATIONAL 8-TON DUMP/SALT TRUCK AND AUXILIARY EQUIPMENT FOR THE SERVICE DEPARTMENT FROM THE STATE BID LIST OR STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED \$180,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, City Council has approved funds for the purchase of a 2016 International 8-ton dump/salt truck and auxiliary equipment for use by the Service Department; an older truck will be used as a backup in order to increase fleet longevity.

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

SECTION 1. The Mayor is hereby authorized to enter into a contract for the purchase of a 2016 International 8-ton dump/salt truck and auxiliary equipment for the Service Department from the state bid list or state co-op, or to advertise for bids according to law and in a manner prescribed by law and enter into a contract with the lowest and best bidder, not to exceed \$180,000.00.

SECTION 2. The cost of said 2016 International 8-ton dump/salt truck and auxiliary equipment shall be charged to and paid from the appropriate City fund.

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 immediate necessity to purchase the equipment before the state bid list expiration date of April 30th. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5354-2016 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO PURCHASE A 2016 GAP VAX COMBINATION JET/VACUUM MACHINE AND AUXILIARY EQUIPMENT FOR THE SERVICE DEPARTMENT FROM THE STATE BID LIST OR STATE CO-OP, OR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT WITH AN OUTSIDE VENDOR ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, NOT TO EXCEED \$437,546.00 AND DECLARING AN EMERGENCY.

WHEREAS, City Council has approved funds for the purchase of a 2016 Gap Vax Combination Jet/Vacuum machine for the Service Department to clean and maintain the storm and sanitary sewers.

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

SECTION 1. The Mayor is hereby authorized to enter into a contract for the purchase of a 2016 Gap Vax Combination Jet/Vacuum machine and auxiliary equipment for the Service Department from the state bid list or state co-op, or to advertise for bids according to law and in a manner prescribed by law and enter into a contract with the lowest and best bidder, not to exceed \$437,546.00.

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SECTION 2. The cost of said 2016 Gap Vax Combination Jet/Vacuum machine and auxiliary equipment shall be charged to and paid from the appropriate City fund.

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 immediate necessity to get the benefit of the 2016 bid prices. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5355-2016 AN ORDINANCE AMENDING ORDINANCE NO. 5155-2014 BY INCREASING THE AMOUNT FOR PROFESSIONAL ENGINEERING SERVICES FOR THE GRIT REMOVAL SYSTEM AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT FROM \$183,500.00 TO \$195,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, during the design phase of the grit removal system at the French Creek Wastewater Treatment Plant, it was discovered that by excluding the East Grit Tank in the original plans, the new grit system (originally planned for only the West Grit Tank) would require significant structural modifications at an additional cost of \$250,000.00 to \$300,000.00. It was then decided to also retrofit the East Grit Tank, which resulted in being able to use smaller grit units, which in turn saved money on equipment, construction costs, and less expense for modifications to the Grit Building; and

WHEREAS, despite changes to the scope of work, this project was able stay within the original construction budget but for incurring an additional \$11,500.00 for professional engineering services.

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

SECTION 1. Ordinance No. 5155-2014 is hereby amended by increasing the amount of professional engineering services for the grit removal system at the French Creek Wastewater Treatment Plant from \$183,500.00 to \$195,000.00.

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.

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SECTION 3. This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate to meet all the current time requirements of the current job since it is a change order. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5356-2016 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATION AGREEMENT WITH THE LORAIN COUNTY COMMISSIONERS FOR THE REIMBURSEMENT OF FUNDS EXPENDED FOR THE WIDENING AND RECONSTRUCTION OF LEAR NAGLE ROAD AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to the terms of an LPA Federal Local-Let Project Agreement executed between the Ohio Department of Transportation (ODOT) and the Lorain County Engineer's office in 2013, federal funds have been dedicated to finance the majority of the cost of the Lear Nagle Road improvement project for road widening and reconstruction from Center Ridge Road to Lorain Road; and

WHEREAS, the City has accepted responsibility for payment of non-eligible federal funding items and of the required local federal match of funds issued; and

WHEREAS, pursuant to O.R.C. §5501.03(D), Lorain County has been designated by ODOT as the local project authority with lead responsibility for the administration and oversight of the project; and

WHEREAS, the proposed Cooperation Agreement has been deemed necessary by the Lorain County Commissioners to ensure payment of the City of North Ridgeville's required contributions to the costs of the road project and provide to the mechanism by which they are delivered.

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

SECTION 1. The Mayor is hereby authorized to enter into a Cooperation Agreement (in a form substantially similar to the Agreement attached hereto and marked as **Exhibit "A"**) with the Lorain County Commissioners for the reimbursement of funds expended for the widening and reconstruction of Lear Nagle Road.

SECTION 2. Funds expended for this 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.

5356-2016 Continued

SECTION 4. This Ordinance is hereby declared to be an emergency measure, the emergency being for the health, safety and welfare of the community and to further improve the paying of invoices when they come in. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

RESOLUTION(S)

1378-2016 A RESOLUTION APPROVING TRANSFERS FROM THE GENERAL FUND OF THE CITY OF NORTH RIDGEVILLE, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, in the City of North Ridgeville, Ohio, it becomes necessary for the City's General Fund to transfer funds from one fund to other funds from time to time with the expectation of repayment; and

WHEREAS, the Council of the City of North Ridgeville, Ohio, deems it appropriate for the City's General Fund to transfer funds to other funds.

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

SECTION 1. That it is hereby approved to transfer up to Forty Eight Thousand Dollars (\$48,000.00) from the General Fund to the Surface Drainage Fund.

SECTION 2. That 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 meetings open to the public, and in compliance 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 meet the Ohio Revised Code requirements. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1379-2016 A RESOLUTION DECLARING THE EXISTING SPEED LIMIT ON A DEFINED SEGMENT OF LEAR NAGLE ROAD TO BE UNSAFE AND UNREASONABLY EXCESSIVE DURING THE COURSE OF THE CONSTRUCTION OF ROADWAY IMPROVEMENTS, AND REQUESTING THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO DETERMINE AND DECLARE A TEMPORARILY REDUCED SPEED LIMIT AND DECLARING AN EMERGENCY.

1379-2016 Continued

WHEREAS, the North Ridgeville City Engineer has performed an engineering and traffic investigation of the traffic movement through the area of Lear Nagle Road which is and shall be under construction for scheduled road improvements and recommends that the existing speed limit of 35 mph should be reduced to 25 mph until the conclusion of the construction project; and

WHEREAS, O.R.C. §4511.21(1) permits a municipal authority, based upon engineering investigation, to determine that prescribed speed limits are unreasonable and unsafe under the existing conditions and by passage of a resolution request, the Director of the Ohio Department of Transportation (ODOT) to evaluate the circumstances and declare a modified speed limit for that location.

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

SECTION 1. City Council finds that during the construction of road improvements on Lear Nagle Road from Lorain Road to Mills Road that the 35 mph speed limit declared by the Director of ODOT, pursuant to O.R.C. §4511.21, is unsafe and unreasonable.

SECTION 2. Pursuant to O.R.C. §4511.21(1), City Council hereby resolves that the Director of the ODOT be requested to determine and declare that the reasonable and safe speed limit for that described segment of Lear Nagle Road during construction of road improvements shall be 25 mph and that the existing speed limit of 35 mph shall be restored following completion of construction.

SECTION 3. Following declaration of the temporarily reduced speed limit by the Director of the ODOT in response to this Resolution, the reduced speed limit shall become effective upon the posting of signs indicating the same by the City.

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 is hereby declared to be an emergency measure, the emergency being for the health, safety and welfare of the community and so the City does not delay on having this enforceable. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1380-2016 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO CT CONSULTANTS IN THE AMOUNT OF \$13,554.79 AND DECLARING AN EMERGENCY.

1380-2016 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, CT Consultants provided the administration and implementation of the 2015 Community Housing Impact and Preservation Program (CHIP grant) and serves a necessary public purpose.

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

SECTION 1. Council hereby authorizes payment to CT Consultants for the following invoices:

Invoice #150188-01	\$11,132.26
Invoice #150188-02	<u>2,422.53</u>
Total	\$13,554.79

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 within thirty days. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

1381-2016 A RESOLUTION AUTHORIZING THE MAYOR TO APPLY TO THE OHIO DEPARTMENT OF NATURAL RESOURCES FOR FUNDING UNDER THE NATUREWORKS GRANT PROGRAM.

WHEREAS, the State of Ohio through the Ohio Department of Natural Resources (ODNR), administers financial assistance for public recreation purposes through the State of Ohio NatureWorks Grant Program, which provides up to seventy-five (75%) percent of the project cost; and

WHEREAS, the City of North Ridgeville desires to apply for financial assistance under the NatureWorks Grant Program for the rehabilitation of the existing tennis courts in South Central Park which has an estimated cost of \$98,000.00.

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

1381-2016 Continued

SECTION 1. The Mayor is hereby authorized, on behalf of the City of North Ridgeville, to execute and file an application for financial assistance with the Ohio Department of Natural Resources NatureWorks Grant Program and to provide all information and documentation required to become eligible for possible funding assistance, including a certified copy of this executed Resolution.

SECTION 2. The City of North Ridgeville hereby agrees to obligate the funds required to satisfactorily complete the proposed project and become eligible for reimbursement under the terms of the NatureWorks Program.

SECTION 3. 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 4. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

1382-2016 A RESOLUTION TO APPROVE, WITH MODIFICATION, THE APPLICATION MADE BY BERNARD W. & NANCY L. FATE REGARDING CERTAIN LAND OWNED BY THEM WHICH HAS BEEN DESIGNATED AS AN AGRICULTURAL DISTRICT BY THE OFFICE OF THE COUNTY AUDITOR.

WHEREAS, the applicants, Bernard W. & Nancy L. Fate, have applied to the County Auditor to place not less than ten acres in an agricultural district for at least five years or as otherwise qualified under O.R.C. Section 929.02 and said application either has been or must be approved by the County Auditor; and

WHEREAS, the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 of the Ohio Revised Code to permit the establishment of agricultural districts to preserve agricultural land, to exempt land in those districts from the collection of specified utility assessments and to provide other benefits for land in those districts; and

WHEREAS, Section 929.02(B) provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an agricultural district filed pursuant to O.R.C. Section 929.02(A), if such rejection or modification is necessary to prevent a substantial, adverse effect on the provision of municipal services within the municipal corporation, efficient use of land within the municipal corporation, the orderly growth and development of the municipal corporation, or the public health, safety or welfare; and

WHEREAS, the legislative authority of a municipal corporation is required to review each application for inclusion in an agricultural district made by an owner of real property which is located within the

1382-2016 Continued

municipal corporation by approving, rejecting or approving with modifications within the statutory time frame; and

WHEREAS, Bernard W. & Nancy L. Fate filed such an application, available for inspection and located in the office of the Clerk of Council and which application is incorporated by reference as if fully rewritten herein.

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

SECTION 1. The application is hereby approved for all purposes encompassed by O.R.C. Sections 929.01 to 929.05 and any other benefits made available by the Ohio Revised Code except for the exemption from collection of assessments provided by O.R.C. Section 929.03. This constitutes a modification and is necessary to prevent an adverse effect on the provision of municipal services, to ensure efficient land use and orderly growth and development and to provide for the public health, safety and welfare.

SECTION 2. Should the County Auditor reject or refuse this application; should the applicant(s) fail to renew the application when necessary, or for any other reason should the applicant(s) fail to comply with or become out of compliance with the requirements to be included in an agricultural district, this approval shall terminate.

SECTION 3. That is found and determined that all formal actions of this Council concerning and relating to the adoption 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 meetings open to the public, in compliance with all legal requirements including §121.22 of the Ohio Revised Code.

CITY COUNCIL MEETING DATES FOR 2016

January 4, 2016	January 19, 2016	February 1, 2016
February 16, 2016	March 7, 2016	March 21, 2016
April 4, 2016	April 18, 2016	May 2, 2016
May 16, 2016	June 6, 2016	June 20, 2016
July 5, 2016	July 18, 2016	August 1, 2016
August 15, 2016	September 6, 2016	September 19, 2016
October 3, 2016	October 17, 2016	November 7, 2016
November 21, 2016	December 5, 2016	December 19, 2016