



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 05.20.2019

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)

1453-2019 A RESOLUTION AUTHORIZING AND APPROVING THE TRANSFER OF FUNDS.

WHEREAS, on March 18, 2019, Finance Committee recommended to City Council the purchase of two fire trucks with the proceeds of bond anticipation notes and a transfer from the General Fund of \$500,000; and

WHEREAS, on April 1, 2019, City Council accepted the Finance Committee's recommendation to purchase the two fire trucks with the proceeds of bond anticipation notes and a transfer from the General Fund of \$500,000, referred to as option 3; and

WHEREAS, the City authorized in Ordinance 5623-2019, \$1,000,000 in bond anticipation notes for the purchase of the two fire trucks and related equipment; and

WHEREAS, the Council of the City of North Ridgeville, Ohio, deems it appropriate to transfer funds to the Fire Truck and Equipment Fund in order to provide resources for the purchase of two fire trucks and related equipment.

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

SECTION 1. The City Auditor is authorized to transfer \$500,000 from the General Fund to the Fire Trucks and Equipment 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

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

1454-2019 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO ERIE MATERIALS FOR LIMESTONE AND DECLARING AN EMERGENCY.

WHEREAS, O.R.C. §5705.41 provides that City Council may authorize the payment of amounts due, wherein legislation shall be passed within thirty (30) 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, Erie Materials delivered limestone for use by the Service Department which served 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 Erie Materials Inc. for limestone delivered to the Service Department in the amount of \$10,187.48 which did not have the Auditor's certification of available appropriations and funds prior to the purchase.

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 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.

1455-2019 PID NO. 98273; (Ordinance No. 5619-2019)
A FINAL RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE DIRECTOR OF THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM PLANING AND RESURFACING LORAIN ROAD BETWEEN SLM 0.20 AND SLM 0.37 AND DECLARING AN EMERGENCY.

The following Final Resolution enacted by the City of North Ridgeville, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project:

WHEREAS, on the **18th day of March, 2019**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of planing and resurfacing Lorain Road between SLM 0.20 and SLM 0.37, including pavement markings, lying within the City of North Ridgeville; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above-described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the City limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U.S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **Twenty-Seven Thousand Eight Hundred Twelve and - - - 00/100 Dollars, (\$27,812.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, the Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, the LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

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

SECTION 1. The fiscal officer is hereby authorized to issue an order for the estimated sum of **Twenty-Seven Thousand Eight Hundred Twelve and 00/100 Dollars (\$27,812.00)** from funds appropriated for such purpose upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. The City hereby agrees to assume in the first instance, the share of the cost and expense over and above the amount to be paid from Federal funds.

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SECTION 2. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.

SECTION 3. That the LPA enter into a contract with the State, and that the Mayor be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.

SECTION 4. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

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 §121.22 of the Ohio Revised Code.

SECTION 6. This Resolution is hereby declared to be an emergency measure, the emergency being the need to meet ODOT's deadline of June 4, 2019. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

ORDINANCE(S)

**5639-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS
AND TO ENTER INTO A CONTRACT FOR THE SALE OF REAL PROPERTY
LOCATED AT 7440 DYKE AVENUE.**

WHEREAS, the City owns a 40x150 foot (approximate) parcel of unimproved real property located south of 7440 Dyke Avenue, identified as parcel no. 07-00-046-103-007 in the Lorain County records, and is situated within the corporate boundaries of the City of North Ridgeville; and

WHEREAS, the unimproved parcel does not meet the current zoning site size requirements, therefore is not a buildable lot. Its best use would be as an expansion to an abutting property; and

WHEREAS, the Administration now wishes to publicly advertise the property for sale in order to solicit competitive bids according to law and garner the highest sale price for the municipal asset.

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

SECTION 1. Council finds that the real property identified as parcel number 07-00-046-103-007 in the Lorain County records is no longer needed for a municipal purpose.

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SECTION 2. The Mayor is hereby authorized to advertise the parcel for sale in a newspaper of general circulation within the municipality one time per week for five consecutive weeks, and then to enter into a contract of sale with the party submitting the highest bona fide bid. All costs incurred by the City in disposing of said property will be additional costs to be paid by the highest bidder. The Mayor shall retain the right to reject all offers in the event none are deemed sufficient.

SECTION 3. The sale shall be consummated in such manner and on such terms as the Director of Law may approve.

SECTION 4. The funds generated from the sale of the property shall be deposited to the appropriate fund(s).

SECTION 5. 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 6. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

5640-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE SALE OF REAL PROPERTY LOCATED ON THE CORNER OF HARDING BOULEVARD AND JEFFERSON AVENUE.

WHEREAS, the City owns a 30x100 foot (approximate) parcel of unimproved real property located on the corner of Harding Blvd. and Jefferson Ave., identified as parcel no. 07-00-009-110-001 in the Lorain County records, and is situated within the corporate boundaries of the City of North Ridgeville; and

WHEREAS, the unimproved parcel does not meet the current zoning site size requirements, therefore is not a buildable lot. Its best use would be as an expansion to an abutting property; and

WHEREAS, the Administration now wishes to publicly advertise the property for sale in order to solicit competitive bids according to law and garner the highest sale price for the municipal asset.

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

SECTION 1. Council finds that the real property identified as parcel number 07-00-009-110-001 in the Lorain County records is no longer needed for a municipal purpose.

SECTION 2. The Mayor is hereby authorized to advertise the parcel for sale in a newspaper of general circulation within the municipality one time per week for five consecutive weeks, and then to enter into a

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contract of sale with the party submitting the highest bona fide bid. All costs incurred by the City in disposing of said property will be additional costs to be paid by the highest bidder. The Mayor shall retain the right to reject all offers in the event none are deemed sufficient.

SECTION 3. The sale shall be consummated in such manner and on such terms as the Director of Law may approve.

SECTION 4. The funds generated from the sale of the property shall be deposited to the appropriate fund(s).

SECTION 5. 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 6. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

5641-2019 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 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 the amounts as follows:

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Fund Number	Fund	Personal Services	Other	Transfers and Advances	Total
101	General Fund				
	Other Finance Uses	\$0	\$0	\$500,000	\$500,000
	Other Funds				
207	Payroll Reserve	50,000	0	0	50,000
225	Street Levy	0	50,000	0	50,000
434	ODNR Flood Control	0	400,000	775,000	1,175,000
437	Fire Trucks and Equipment	0	1,500,000	0	1,500,000
Total Other Funds		50,000	1,950,000	775,000	2,775,000
Total All Funds		\$50,000	\$1,950,000	\$1,275,000	\$3,275,000

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

From	To	Amount
General Fund		
Human Resources, Personal Services	Human Resources, Other	\$25,000

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.

SECTION 6. This Ordinance is hereby declared to be an emergency measure, the emergency being in order to take care of the funds in a proper manner. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5642-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH MICHAEL AND SANDRA VROOMAN IN THE AMOUNT OF \$75,000.00, TOGETHER WITH ANY COSTS AND EXPENSES INCURRED BY THE CITY IN CONNECTION WITH THIS ACQUISITION, INCLUDING TAXES, IF ANY AND DECLARING AN EMERGENCY.

WHEREAS, the decommissioning of the Westfield Wastewater Treatment Plant will require the connection of the existing 8” sanitary sewer along Westfield Drive to the westerly sanitary trunk sewer in order to provide conveyance for the Westfield Subdivision sewage; and

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WHEREAS, the existing 6” water main on Westfield Drive is a dead-end water main and should be looped to provide increased reliability of service and reduce head losses; and

WHEREAS, the City Engineer finds that the real property to be acquired for the extension of sanitary sewer and water main is an appropriate location for these utilities; and

WHEREAS, the City Engineer will contract with a land surveyor to perform a lot split and consolidation from the two parcels, 07-00-026-102-020 and 07-00-026-102-017, that Michael and Sandra Vrooman own to obtain approximately 13 acres for the use of the sanitary sewer and water main extensions.

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 is hereby authorized to enter into a Real Estate Purchase Agreement with Michael and Sandra Vrooman in the amount of \$75,000.00, together with any costs and expenses incurred by the City in connection with this acquisition, including taxes, if any, for the purpose of acquiring land for the construction of a sanitary sewer extension and water main extension. A draft copy of the Real Estate Purchase Agreement is on file in the Engineering Department. The Real Estate Purchase Agreement will be finalized after the lot split.

SECTION 2. This purchase shall be consummated in such manner and on such terms as the Law Director may approve.

SECTION 3. The purchase price, together with any costs and expenses incurred by the City in connection with this acquisition, including taxes, if any, shall be paid from and charged to the appropriate fund.

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 §121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance is hereby declared to be an emergency measure, the emergency being due to the project being bid the week of May 27, 2019. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5643-2019 AN ORDINANCE ASSIGNING SPECIFIC EMPLOYEE BENEFITS TO THE ASSISTANT ENGINEER.

WHEREAS, Ordinance No. 3483-99 as amended by Ordinance No. 3489-99 defines the wage increases and employment benefits to be assigned to Department Heads, Confidential Employees and Supervisory employees, and states that such employees shall receive employment benefits

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identical to those received by members of the collective bargaining unit which work in their respective departments; and

WHEREAS, the City hired Christina Eavenson to replace the retiring Cathy Becker as Assistant Engineer. Pursuant to the language of Article 22.01 of the AFSCME collective bargaining agreement (the "CBA") as is applicable to the position via Ordinance No. 3483-99, the newly hired Assistant Engineer upon reaching her one year anniversary, would be entitled to ten days per year until accumulating an additional five years of service with the City; and

WHEREAS, the Mayor believes and seeks Council's agreement in the principal that ten days thereafter until an additional five years are served is inadequate and inappropriate in light of the rank and responsibilities of the position, the necessary qualifications for the position, and the twenty plus years of experience possessed by Ms. Eavenson who has been hired to fill the position.

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

SECTION 1. For the purpose of defining the vacation benefit assigned to Christina Eavenson as the Assistant Engineer, she shall be assigned the vacation benefit, at her one year anniversary, awarded to AFSCME employees in Article 22.01 of the effective CBA after five (5) years of service, and for future determination of the vacation benefit only, she shall be deemed to have accumulated five (5) years of service as of her date of hire.

SECTION 2. This modification of the vacation benefit awarded by the applicable terms of the CBA via the relevant ordinance shall be applicable to the determination of vacation time only. Further, the attribution of years of service shall be operative only to designate the number of vacation days to be awarded as of date of hire, and may not be interpreted to result in the accrual of vacation time for time or years not actually served for the city of North Ridgeville, or for the calculation or accrual of any other benefit based upon length of service.

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 an after the earliest period allowed by law.

5644-2019 AN ORDINANCE PROVIDING FOR THE ADDENDUM OF A LEASE OF VACANT LAND WITH THE RIDGEFIELD HOMEOWNERS ASSOCIATION, INC. TO INCLUDE AN ASPHALT PAVED PARKING LOT.

WHEREAS, the City of North Ridgeville entered into a Lease of Vacant Land Agreement with Bob Schmitt Homes, Inc. on October 17, 2013, for the lease of vacant land for the purpose of public parking for persons using the adjacent park and recreation facilities; and

WHEREAS, Bob Schmitt Homes, Inc. has transferred the Lease of Vacant Land to the Ridgefield Homeowners Association, Inc.; and

WHEREAS, the parties agree that it would be beneficial to have the City of North Ridgeville pave the gravel parking lot with asphalt.

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 is hereby authorized to execute an addendum to its Lease of Vacant Land, which was originally entered into with Bob Schmitt Homes, Inc. but then transferred to the Ridgefield Homeowners Association, Inc., to provide that the gravel parking lot will be paved with asphalt by the City; all other terms and conditions of said Lease will remain the same as specified in the attached Lease of Vacant Land Agreement.

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.

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