



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 June 1, 2015)

1357-2015 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 fund.

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 Two Hundred Eighty Thousand Dollars (\$280,000.00) from the General Fund to the Street Construction Maintenance & Repair 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 need to provide for the health, safety and welfare of the citizens of North Ridgeville and in order for the Streets Department to continue to operate WHEREFORE, this Ordinance 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 June 1, 2015)

5246-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH A CONSULTING ENGINEERING FIRM FOR PLANS, SPECIFICATIONS, BIDDING DOCUMENTS AND CONSTRUCTION PHASE SERVICES FOR THE OLIVE AVENUE, LEWIS STREET, BRANCH STREET AND CROSS STREET WATER MAIN REPLACEMENTS INCLUDING APPURTENANCES, NOT TO EXCEED \$100,000.00.

WHEREAS, there are frequent and numerous water main breaks on Olive Avenue, Lewis Street, Branch Street and Cross Street; and

WHEREAS, the existing six-inch and eight-inch water mains on Olive Avenue need to be replaced with new eight-inch water mains; the existing six-inch water mains on Lewis and Cross Streets need replacement and the existing eight-inch water main on Branch Street needs replacement.

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, Ohio, is hereby authorized to enter into a contract according to law and in a manner prescribed by law with a consulting engineering firm for plans, specifications, bidding documents and construction phase services for the Olive Avenue, Lewis Street, Branch Street and Cross Street water main replacement project and other appurtenances in an amount not to exceed \$100,000.00.

SECTION 2. The fees and costs of said consulting engineering firm shall be paid from the appropriate 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 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.

5247-2015 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 5213-2015 OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE PERIOD COMMENCING JANUARY 1, 2015 AND ENDING DECEMBER 31, 2015 AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to appropriate certain unanticipated funds and amend other previously appropriated amounts, for the operating of the City of North Ridgeville, Ohio;

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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, 2015 and ending December 31, 2015, Ordinance No. 5213-2015 be and the same are hereby amended in the following particulars 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 total sums as follows:

	Personal Services \$	Other Expense \$	Transfers \$	Total \$
<u>GENERAL FUND</u>				
Clerk of Council	(2,000.00)	0.00		(2,000.00)
Law Director	1,600.00	320.00		1,920.00
Misc Gen'l Gov't	0.00	2,030.00		2,030.00
Public Buildings	0.00	4,700.00		4,700.00
Police 12,180.00	8,000.00		20,180.00	
Fire	0.00	5,750.00		5,750.00
Park & Recreation	(3,600.00)	5,400.00		1,800.00
<u>TOTAL GENERAL FUND</u>	<u>8,180.00</u>	<u>26,200.00</u>	<u>0.00</u>	<u>34,380.00</u>
	Personal Services \$	Other Expenses \$	Transfers \$	Total \$
<u>ST CONST M & R FUND</u>	<u>0.00</u>	<u>1,200.00</u>		<u>1,200.00</u>
<u>STREET LEVY FUND</u>	<u>0.00</u>	<u>(87,880.00)</u>		<u>(87,880.00)</u>
<u>SURFACE DRAINAGE FUND</u>	<u>2,150.00</u>	<u>(2,150.00)</u>		<u>0.00</u>
<u>PARAMEDIC LEVY</u>	<u>0.00</u>	<u>2,500.00</u>		<u>2,500.00</u>
<u>AMBULANCE</u>	<u>0.00</u>	<u>9,580.00</u>		<u>9,580.00</u>
<u>STATE GRANTS</u>	<u>0.00</u>	<u>85,669.00</u>		<u>85,669.00</u>
<u>TOTAL SPECIAL REVENUE</u>	<u>2,150.00</u>	<u>8,919.00</u>		<u>11,069.00</u>
<u>DEBT SERVICE</u>	<u>0.00</u>	<u>30,000.00</u>		<u>30,000.00</u>

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<u>TIF FUNDS</u>	<u>0.00</u>	<u>55,925.43</u>	<u>55,925.43</u>
<u>TOTAL DEBT SERVICE</u>	<u>0.00</u>	<u>85,925.43</u>	<u>85,925.43</u>
<u>CAPITAL PROJECTS FUND</u>	<u>0.00</u>	<u>702,280.00</u>	<u>702,280.00</u>
<u>TOTAL CAPITAL PROJECTS</u>	<u>0.00</u>	<u>702,280.00</u>	<u>702,280.00</u>
<u>WATER FUND</u>	<u>0.00</u>	<u>1,200.00</u>	<u>1,200.00</u>
<u>WATER IMPROVEMENT FUND</u>	<u>0.00</u>	<u>1,405,000.00</u>	<u>1,405,000.00</u>
<u>SEWER FUND</u>	<u>0.00</u>	<u>1,200.00</u>	<u>1,200.00</u>
<u>SEWER IMPROVEMENT FUND</u>	<u>0.00</u>	<u>1,710,000.00</u>	<u>1,710,000.00</u>
<u>FRENCH CREEK WWTP FUND</u>	<u>0.00</u>	<u>50,000.00</u>	<u>50,000.00</u>
<u>FRENCH CREEK BR FUND</u>	<u>0.00</u>	<u>10,062.40</u>	<u>10,062.40</u>
<u>FRENCH CREEK R & I</u>	<u>0.00</u>	<u>3,600,000.00</u>	<u>3,600,000.00</u>
<u>TOTAL ENTERPRISE</u>	<u>0.00</u>	<u>6,777,462.40</u>	<u>6,777,462.40</u>
<u>TOTAL ALL FUNDS</u>	<u>\$ 10,330.00</u>	<u>\$ 7,600,786.83</u>	<u>\$ 7,611,116.83</u>

SECTION 3. That the Auditor of the City of North Ridgeville be and he 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 meet the financial needs for the City and for the health, safety and welfare of the citizens of the City of North Ridgeville. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5248-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR RECONSTRUCTION AND RESURFACING, AND OTHER APPURTENANCES FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT ROADWAYS, NOT TO EXCEED \$200,000.00.

WHEREAS, roadways at the French Creek Wastewater Treatment Plant are deteriorated and in need of repair; and

WHEREAS, there is a need for reconstruction, resurfacing and other appurtenances related to the roadway repair.

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, Ohio, is hereby authorized to enter into a contract according to law and in a manner prescribed by law with the lowest and best bidder for reconstruction, resurfacing and other appurtenances for the roadways at the French Creek Wastewater Treatment Plant, in an amount not to exceed \$200,000.00. The City shall reserve the right to reject any and all bids as is deemed appropriate to serve the best interests of the municipality as owner and operator of the wastewater treatment plant.

SECTION 2. The cost of the reconstruction, resurfacing and other appurtenances shall be 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 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.

5249-2015 AN ORDINANCE AMENDING ORDINANCE NO. 5176-2014 REGARDING THE CLEANING AND GRIT SLUDGE DISPOSAL OF COMPLETE MIX TANKS 1 AND 3 AND CLEANING OF THE CLARIFIER TANKS AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE AMOUNT FROM \$160,000.00 TO \$250,000.00.

WHEREAS, the amount for cleaning and grit sludge disposal was originally estimated at \$160,000.00; and

WHEREAS, all bids came in higher than the estimated amount, therefore Ordinance No. 5176-2014 needs to be amended, and the project must be re-bid.

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

SECTION 1. Ordinance No. 5176-2014 is hereby amended by increasing the amount from \$160,000.00 to \$250,000.00 for the cleaning and grit sludge disposal of complete mix tanks 1 and 3, and the cleaning of the clarifier tanks at the French Creek Wastewater Treatment Plant.

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.

5250-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE JAYCOX ROAD PHASE 1 RECONSTRUCTION PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$585,573.00 AND DECLARING AN EMERGENCY.

WHEREAS, Jaycox Road, from approximately 350 feet north of Center Ridge Road to approximately 400 feet north of Drake Street, is in need of reconstruction and other appurtenances; and

WHEREAS, the City of North Ridgeville Engineering Department has prepared the bidding documents and design for this project; and

WHEREAS, the City of North Ridgeville has applied for and received a grant in an amount up to \$345,488.00 from the Ohio Public Works Commission for this project.

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, Ohio, is hereby authorized to advertise for bids and enter into a contract according to law and in a manner prescribed by law with the lowest and best bidder for the Jaycox Road Phase 1 Reconstruction Project and other appurtenances in an amount not to exceed \$585,573.00.

SECTION 2. The City of North Ridgeville has applied for and received a grant from the Ohio Public Works Commission for an amount up to \$345,488.00 for this project.

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SECTION 3. The City's cost of \$240,085.00 for said project shall be paid from 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 Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to move the project along. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5251-2015 AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

WHEREAS, the development of commercial and industrial properties in the City of North Ridgeville will benefit the City and its residents by creating economic opportunities, enlarging the property tax base, enhancing income tax revenues, and stimulating collateral development in the City; and

WHEREAS, by providing Public Infrastructure Improvements (as that term is defined in Section 5709.40(A)(7) of the Ohio Revised Code) (the "Public Infrastructure Improvements"), including road construction and related improvements, the City may facilitate the development of commercial and industrial properties; and

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 (collectively, the "Act") provide that Council may describe Public Infrastructure Improvements to be made which benefit a parcel of real property, declare that Improvements (as defined in Ohio Revised Code Section 5709.40(a)(4) with respect to such commercial and industrial properties to be a public purpose, thereby exempting those Improvements from real property taxation for a period of time, and provide for the making of service payments in lieu of taxes by the owners of such Improvements, and establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, the property owners set forth in **Exhibit "A"**, attached hereto and made a part hereof (collectively, the "Property Owners"), have made, are in the process of making or in the future shall make certain Improvements (the "Commercial Improvements") to the real property described in Exhibit "A" located in the City, and that such Commercial Improvements would first appear on the tax list and

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duplicate of real and public utility property subsequent to the effective date of this Ordinance, were it not for the exemptions specified herein; and

WHEREAS, the City has made, is in the process of making, or will make certain Public Infrastructure Improvements as more particularly described in **Exhibit “B”**, attached hereto and made a part hereof, that directly benefit or, once made, will directly benefit the Commercial Improvements; and

WHEREAS, pursuant to and in the manner prescribed by Ohio Revised Code Section 5709.83, the City delivered notice to the North Ridgeville City School District on April 23, 2015, stating the City’s intent to declare the Commercial Improvements to be a public purpose under Ohio Revised Code Section 5709.40.

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

SECTION 1: It is hereby declared that construction of the Commercial Improvements is a public purpose.

SECTION 2: Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.40(B), Council hereby finds and determines that one hundred percent (100%) of the increase in the assessed value of the Commercial Improvements made or which shall be made to the real properties listed in Exhibit “A” that would first appear on the tax list and duplicate of real and public utility property after the effective date of this Ordinance is a public purpose, and one hundred percent (100%) of said increase in assessed value of the Commercial Improvements is hereby declared to be exempt from taxation for a period of thirty (30) years commencing with the tax year in which a Commercial Improvement first appears on the tax list and duplicate of real and public utility property and that begins after the effective date of this Ordinance and ending on the earlier of (1) the date a Commercial Improvement has been exempted from taxation for a period of thirty (30) years or (2) the date on which the City has collected into the Fund established in Section 4 hereof a total amount sufficient to pay those costs of the Public Infrastructure Improvements authorized in Section 3 hereof which are to be paid from that fund; provided, however, that as to any real property for which real property tax abatement is granted by an ordinance adopted pursuant to Sections 3735.66 or 5709.63 of the Ohio Revised Code, such exemption shall apply to the effective real property tax payable after application of the abatement, and the exemption granted by this Ordinance shall be subordinate to the abatement as provided in Section 5709.911(A)(2) of the Ohio Revised Code.

SECTION 3: The City shall construct or cause to be constructed the Public Infrastructure Improvements identified on Exhibit “B” which will directly benefit the Commercial Improvements. The cost of such Public Infrastructure Improvements may be paid in part from the proceeds of bonds and/or notes to be issued by the City and secured in part from revenues received by the City from service payments made by the Property Owners in lieu of taxes, as set forth herein.

SECTION 4: As provided in Section 5709.42 of the Ohio Revised Code, the Property Owners are hereby required to, and shall make, payments in lieu of taxes to the Lorain County Treasurer

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semiannually, on or before the date on which real property taxes would otherwise be due and payable for the Commercial Improvements. Any late payments shall be subject to penalty and bear interest at the then current rate established under Ohio Revised Code Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the payment of penalties and interest are collectively referred to herein with the payments in lieu of taxes as the "Service Payments"). Each semiannual payment shall be in the same amount as the real property taxes that would have been charged and payable against the Commercial Improvements (after credit for any other available payments received by the City under Ohio Revised Code Section 319.302 as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time, herein the "Property Tax Rollback Payments") had an exemption from taxation not been granted, and otherwise shall be in accordance with the requirements of the Ohio Revised Code. In accordance with Section 5709.42 of the Ohio Revised Code, the County Treasurer shall distribute a portion of the Service Payments directly to the North Ridgeville City School District (the "District") in an amount equal to the property tax payments the District would have received had the Commercial Improvements not been exempted under this Ordinance. The Service Payments when distributed to the City by the Lorain County Treasurer shall be deposited in the Municipal Public Improvement Tax Increment Equivalent Fund described in Section 6 hereof. If determined to be necessary or appropriate by the Director of Law of the City, the Mayor and the finance director may sign and deliver, in the name of and on behalf of the City, a Tax Increment Financing Agreement between the City and one or more Property Owners, providing for, among other things, the construction of the Public Improvements and payment of such Service Payments. Council further hereby authorizes and directs the Mayor, finance director, Law Director, and other appropriate officers of the City, to provide such information and certifications, to sign and deliver any necessary property tax exemption applications and execute and deliver or accept delivery of such instruments, as are necessary and incidental to carrying out any such agreement, and to make such arrangements as are necessary and proper for payment of said Service Payments.

SECTION 5: Pursuant to Ohio Revised Code Section 5709.42, the County Treasurer shall pay to the Districts, from a portion of the Service Payments, the amount of the taxes that would have been payable to the District if the Commercial Improvements had not been exempted pursuant to this Ordinance for the period commencing on the effective date of this Ordinance and ending on the date of termination of the exemption of the Commercial Improvements as set forth in Section 2 hereof.

SECTION 6: Pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, there been previously established within the City Treasury the Municipal Public Improvement Tax Increment Equivalent Fund (the "Fund") into which shall be deposited service payments in lieu of taxes received from the Property Owners and distributed to the City by the Lorain County Treasurer. Such Fund may be combined with other funds created by ordinances of this Council authorizing other such projects. Money in the Fund shall be used

- (i) to finance the direct and indirect costs of the Public Infrastructure Improvements, including to reimburse the City or any Property Owner for any such costs incurred; and

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- (ii) to pay the interest on and principal of bonds or notes, including refunding bonds or notes, or other loans, issued by the City to finance those costs of the Public Improvements provided in clause (i) above until such notes or bonds are paid in full.

The Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which said Fund shall be dissolved in accordance with said Section 5709.43.

SECTION 7: The Clerk of this Council is hereby directed to deliver, not later than fifteen (15) days after the effective date of this Ordinance, a copy thereof to the Director of the Ohio Development Services Agency, and to further deliver to such Director, not later than March 31 of each year during which the tax exemption remains in effect, a status report outlining the progress of the project herein described as required by Section 5709.40 of the Ohio Revised Code.

SECTION 8: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

5252-2015 AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF NORTH RIDGEVILLE TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND.

WHEREAS, the development of commercial and industrial properties in the City of North Ridgeville will benefit the City and its residents by creating economic opportunities, enlarging the property tax base, enhancing income tax revenues, and stimulating collateral development in the City; and

WHEREAS, by providing Public Infrastructure Improvements (as that term is defined in Section 5709.40(A)(7) of the Ohio Revised Code) (the "Public Infrastructure Improvements"), including road construction and related improvements, the City may facilitate the development of commercial and industrial properties; and

WHEREAS, Ohio Revised Code Sections 5709.40, 5709.42 and 5709.43 (collectively, the "Act") provide that Council may describe Public Infrastructure Improvements to be made which benefit a parcel of real property, declare that Improvements (as defined in Ohio Revised Code Section 5709.40(a)(4) with respect to such commercial and industrial properties to be a public purpose, thereby exempting those

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Improvements from real property taxation for a period of time, and provide for the making of service payments in lieu of taxes by the owners of such Improvements, and establish a municipal public improvement tax increment equivalent fund into which such service payments shall be deposited; and

WHEREAS, the property owners set forth in **Exhibit “A”**, attached hereto and made a part hereof (collectively, the “Property Owners”), have made, are in the process of making or in the future shall make certain Improvements (the “Commercial Improvements”) to the real property described in Exhibit “A” located in the City, and that such Commercial Improvements would first appear on the tax list and duplicate of real and public utility property subsequent to the effective date of this Ordinance, were it not for the exemptions specified herein; and

WHEREAS, the City has made, is in the process of making, or will make certain Public Infrastructure Improvements as more particularly described in **Exhibit “B”**, attached hereto and made a part hereof, that directly benefit or, once made, will directly benefit the Commercial Improvements; and

WHEREAS, pursuant to and in the manner prescribed by Ohio Revised Code Section 5709.83, the City delivered notice to the North Ridgeville City School District on April 23, 2015, stating the City’s intent to declare the Commercial Improvements to be a public purpose under Ohio Revised Code Section 5709.40.

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

SECTION 1: It is hereby declared that construction of the Commercial Improvements is a public purpose.

SECTION 2: Pursuant to and in accordance with the provisions of Ohio Revised Code Section 5709.40(B), Council hereby finds and determines that one hundred percent (100%) of the increase in the assessed value of the Commercial Improvements made or which shall be made on the real properties listed on Exhibit “A” that would first appear on the tax list and duplicate of real and public utility property after the effective date of this Ordinance is a public purpose, and one hundred percent (100%) of said increase in assessed value of the Commercial Improvements is hereby declared to be exempt from taxation for a period of thirty (30) years commencing with the tax year in which a Commercial Improvement first appears on the tax list and duplicate of real and public utility property and that begins after the effective date of this Ordinance and ending on the earlier of (1) the date a Commercial Improvement has been exempted from taxation for a period of thirty (30) years or (2) the date on which the City has collected into the Fund established in Section 4 hereof a total amount sufficient to pay those costs of the Public Infrastructure Improvements authorized in Section 3 hereof which are to be paid from that fund; provided, however, that as to any real property for which real property tax abatement is granted by an ordinance adopted pursuant to Sections 3735.66 or 5709.63 of the Ohio Revised Code, such exemption shall apply to the effective real property tax payable after application of the abatement, and the exemption granted by this Ordinance shall be subordinate to the abatement as provided in Section 5709.911(A)(2) of the Ohio Revised Code.

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SECTION 3: The City shall construct or cause to be constructed the Public Infrastructure Improvements identified on Exhibit “B” which will directly benefit the Commercial Improvements. The cost of such Public Infrastructure Improvements may be paid in part from the proceeds of bonds and/or notes to be issued by the City and secured in part from revenues received by the City from service payments made by the Property Owners in lieu of taxes, as set forth herein.

SECTION 4: As provided in Section 5709.42 of the Ohio Revised Code, the Property Owners are hereby required to, and shall make, payments in lieu of taxes to the Lorain County Treasurer semiannually, on or before the date on which real property taxes would otherwise be due and payable for the Commercial Improvements. Any late payments shall be subject to penalty and bear interest at the then current rate established under Ohio Revised Code Sections 323.121(B)(1) and 5703.47, as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time (the payment of penalties and interest are collectively referred to herein with the payments in lieu of taxes as the “Service Payments”). Each semiannual payment shall be in the same amount as the real property taxes that would have been charged and payable against the Commercial Improvements (after credit for any other available payments received by the City under Ohio Revised Code Section 319.302 as the same may be amended from time to time, or any successor provisions thereto as the same may be amended from time to time, herein the “Property Tax Rollback Payments”) had an exemption from taxation not been granted, and otherwise shall be in accordance with the requirements of the Ohio Revised Code. In accordance with Section 5709.42 of the Ohio Revised Code, the County Treasurer shall distribute a portion of the Service Payments directly to the North Ridgeville City School District (the “District”) in an amount equal to the property tax payments the District would have received had the Commercial Improvements not been exempted under this Ordinance. The Service Payments when distributed to the City by the Lorain County Treasurer shall be deposited in the Municipal Public Improvement Tax Increment Equivalent Fund described in Section 6 hereof. If determined to be necessary or appropriate by the Director of Law of the City, the Mayor and the finance director may sign and deliver, in the name of and on behalf of the City, a Tax Increment Financing Agreement between the City and one or more Property Owners, providing for, among other things, the construction of the Public Improvements and payment of such Service Payments. Council further hereby authorizes and directs the Mayor, finance director, Law Director, and other appropriate officers of the City, to provide such information and certifications, to sign and deliver any necessary property tax exemption applications and execute and deliver or accept delivery of such instruments, as are necessary and incidental to carrying out any such agreement, and to make such arrangements as are necessary and proper for payment of said Service Payments.

SECTION 5: Pursuant to Ohio Revised Code Section 5709.42, the County Treasurer shall pay to the Districts, from a portion of the Service Payments, the amount of the taxes that would have been payable to the District if the Commercial Improvements had not been exempted pursuant to this Ordinance for the period commencing on the effective date of this Ordinance and ending on the date of termination of the exemption of the Commercial Improvements as set forth in Section 2 hereof.

SECTION 6: Pursuant to and in accordance with the provisions of Section 5709.43 of the Ohio Revised Code, there been previously established within the City Treasury the Municipal Public Improvement Tax Increment Equivalent Fund (the “Fund”) into which shall be deposited service payments in lieu of taxes

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received from the Property Owners and distributed to the City by the Lorain County Treasurer. Such Fund may be combined with other funds created by ordinances of this Council authorizing other such projects. Money in the Fund shall be used

(i) to finance the direct and indirect costs of the Public Infrastructure Improvements, including to reimburse the City or any Property Owner for any such costs incurred; and

(ii) to pay the interest on and principal of bonds or notes, including refunding bonds or notes, or other loans, issued by the City to finance those costs of the Public Improvements provided in clause (i) above until such notes or bonds are paid in full.

The Fund shall remain in existence so long as such Service Payments are collected and used for the aforesaid purposes, after which said Fund shall be dissolved in accordance with said Section 5709.43.

SECTION 7: The Clerk of this Council is hereby directed to deliver, not later than fifteen (15) days after the effective date of this Ordinance, a copy thereof to the Director of the Ohio Development Services Agency, and to further deliver to such Director, not later than March 31 of each year during which the tax exemption remains in effect, a status report outlining the progress of the project herein described as required by Section 5709.40 of the Ohio Revised Code.

SECTION 8: It is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

5253-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE AND ENTER INTO A CONTRACT(S) ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER(S) FOR THE PURCHASE OF A NEW UV DISINFECTION SYSTEM AND APPURTENANCES, SUPPORT BUILDING AND NEW PAVED DRIVEWAY AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$1,600,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, the existing first generation Trojan UV disinfection system is near the end of its service life and requires expensive repairs; and

WHEREAS, the UV disinfection system needs to be replaced with a system that has greater hydraulic capacity and greater energy efficiency and a support building and new paved driveway for access to the UV system will also be needed; and

WHEREAS, the City has previously authorized engineering for this project in an amount not to exceed \$195,000.00.

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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 of the City of North Ridgeville, Ohio, is hereby authorized to negotiate and enter into a contract(s) according to law and in a manner prescribed by law with the lowest and best bidder(s), not to exceed \$1,600,000.00, for the purchase of a UV disinfection system, a support building and new paved driveway for access to the UV system at the French Creek Wastewater Treatment Plant. The City shall reserve the right to reject any and all bids as is deemed appropriate to serve the best interests of the municipality as owner and operator of the wastewater treatment plant.

SECTION 2. The cost of the UV system, appurtenances, support building and new paved driveway shall be 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 Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to get the project started. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5254-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE CENTER RIDGE ROAD WIDENING SANITARY SEWER PROJECT AND OTHER APPURTENANCES, NOT TO EXCEED \$1,000,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, portions of Center Ridge Road from Stoney Ridge Road to McKinley Avenue do not have a sanitary sewer; and

WHEREAS, the sanitary sewer needs to be constructed prior to the widening of Center Ridge Road; and

WHEREAS, bidding documents for the construction of the sanitary sewer project are available in the Engineering Department.

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, Ohio, is hereby authorized to advertise for bids and enter into a contract according to law and in a manner prescribed by law with the lowest and best

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bidder for the Center Ridge Road widening sanitary sewer project and other appurtenances in an amount not to exceed \$1,000,000.00.

SECTION 2. The cost for said project shall be paid from the appropriate 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 Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure, the emergency being the need to install the sewer before the Center Ridge Road construction project begins. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5255-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH A CONSULTING ENGINEERING FIRM FOR PLANS AND SPECIFICATIONS FOR THE JAYCOX ROAD EXTENSION DESIGN INCLUDING APPURTENANCES, NOT TO EXCEED \$180,000.00.

WHEREAS, Jaycox Road will be extended from Center Ridge Road to 300 feet south of Center Ridge Road in the Center Ridge Road widening project; and

WHEREAS, the North Ridgeville Fire and Police Departments need a second access drive to the proposed new grades three through eight middle school; and

WHEREAS, the City of North Ridgeville desires to continue the extension of Jaycox Road and/or a private drive to the south from the 300-foot stub to be constructed in the Center Ridge Road widening project to the proposed new grades three through eight middle school, and will require the preparation of plans and specifications by an outside engineering firm.

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, Ohio, is hereby authorized to enter into a contract according to law and in a manner prescribed by law with a consulting engineering firm for plans, specifications, bidding documents and construction phase services for the Jaycox Road extension project and other appurtenances in an amount not to exceed \$180,000.00.

SECTION 2. The cost of this project shall be paid from the appropriate fund.

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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.

5256-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION TO OBTAIN A GRANT IN THE AMOUNT OF \$345,488.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR FUNDING FOR THE DESIGN AND CONSTRUCTION OF THE JAYCOX ROAD PHASE 1 ROADWAY RECONSTRUCTION PROJECT AND DECLARING AN EMERGENCY.

WHEREAS, Jaycox Road, from approximately 350 feet north of Center Ridge Road to approximately 400 feet north of Drake Street, is in need of reconstruction and other appurtenances; and

WHEREAS, the City of North Ridgeville has applied for a grant in an amount of up to \$345,488.00 from the Ohio Public Works Commission for this project; and

WHEREAS, after application of the grant funds, the City's share of the \$585,573.00 total estimated engineering and construction cost is \$240,085.00.

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

SECTION 1. The City of North Ridgeville has received an offer of a grant in the amount of \$345,488.00 from the Ohio Public Works Commission for this project.

SECTION 2. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to enter into an agreement with the Ohio Public Works Commission to obtain a grant in the amount of \$345,488.00 from the Ohio Public Works Commission for the Jaycox Road Phase 1 Roadway Reconstruction Project.

SECTION 3. Funds obtained from the grant shall be applied 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

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meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to sign the agreement prior to July 1st. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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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