



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 06.15.2015

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 15, 2015)

None.

ORDINANCE(S)

(The following Ordinance(s) were passed by City Council on June 15, 2015)

5257-2015 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO AN AGREEMENT WITH THE NORTH RIDGEVILLE SCHOOL DISTRICT FOR THE DEVELOPMENT OF THE JAYCOX ROAD EXTENSION, THE NEW 3RD - 8TH GRADE SCHOOL, AND RELATED IMPROVEMENTS.

WHEREAS, the North Ridgeville School District plans to construct a new 3rd – 8th grade school near the existing high school; and

WHEREAS, the City, working with the Ohio Department of Transportation, plans to alleviate traffic congestion along Center Ridge Road through a widening project and new road extensions, including the extension of Jaycox Road south of Center Ridge Road; and

WHEREAS, the School District currently has access from its property to Center Ridge Road, but use of that access will hinder the City's plans to alleviate the traffic congestion; and

WHEREAS, ODOT is acquiring property for the City to use for the Jaycox extension and storm water retention; any portion of the property not needed may be sold; and

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WHEREAS, the parties believe that the land upon which the existing middle school and football stadium are located will be more useful and valuable if it is combined with adjacent property owned by the City; and

WHEREAS, the School District and the City want to work cooperatively regarding the development of Jaycox Road, from Center Ridge Road to the School District's northern and western parking lot for the new school, and will share costs as depicted in the attached Development Agreement.

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 Development Agreement with the North Ridgeville City School District in substantially the same form as set forth in **Exhibit 1** attached hereto and incorporated herein by reference.

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.

5258-2015 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO A REAL ESTATE PURCHASE AGREEMENT WITH BLUE MARBLE REALTY, LLC FOR THE SALE OF REAL PROPERTY LOCATED ON VICTORY LANE.

WHEREAS, the City of North Ridgeville is the owner of approximately 67 acres of land located on Victory Lane and identified as permanent parcel no. 07-00-003-102-084; and

WHEREAS, the City's parcel is currently subject to a 50-year lease with a tenant known as PMJ Park Holdings, LLC which operates a sports park facility known as Victory Sports Park; and

WHEREAS, PMJ Park Holdings, LLC is desirous of releasing its leasehold interest over a designated 3-acre portion of the City's parcel for the purpose of permitting the sale of the land to a third party concern known as Blue Marble Realty LLC. "Blue Marble" is desirous of purchasing the 3 acres fronting Victory Lane for the purpose of developing the property by constructing an athletic training facility for sport activities directly related to those conducted at the tenant's sports park facility; and

WHEREAS, in effort to support economic growth in the City and further the quality of the existing sports park as an amenity to the residents, and to facilitate the construction of a valuable permanent improvement at the sports park location, the City Administration believes that it is in the City's interest to agree to the release of the leasehold interest over the designated 3 acres, and further, to subsequently sell

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those 3 acres to Blue Marble Realty, LLC for the development and construction of an athletic training facility on Victory Lane.

WHEREAS, because of the active 50-year lease over the property currently held by PMJ Park Holdings, LLC over the entirety of the City's parcel, and more specifically because PMJ Park Holdings, LLC has agreed to release the lease on the designated 3 acres exclusively to Blue Marble Realty, LLC for the construction of a training center, the subject 3 acres of City real property is not available to the open public or any other entity for purchase. Accordingly, it may not be publicly advertised for competing bids prior to sale.

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 Agreement with Blue Marble Realty, LLC for the sale of real property located on Victory Lane in the amount of \$10,000.00; the terms of which are in substantially the same form as set forth in **Exhibit 1** attached hereto and incorporated herein by reference.

SECTION 2. City Council also consents to the release of PMJ's leasehold interest in the property, and authorizes the Mayor to amend the Ground Lease so that the property is no longer subject to any obligations thereunder.

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

SECTION 4. The proceeds of the sale of this property shall be deposited into the appropriate fund.

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 Section 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.

5259-2015 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO AMEND A LEASE WITH PMJ PARK HOLDINGS, LLC.

WHEREAS, The City owns an approximate sixty-seven (67) acre parcel of land (identified in the County records as parcel number 07-00-003-102-084) which is currently subject to a fifty (50) year lease with PMJ Park Holdings, LLC, the operator of a sports park at the site, and

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WHEREAS, The City, as well as the tenant, PMJ Park Holdings, LLC, desires to release and remove an approximate three (3) acre portion of the parent parcel from the leasehold interest so the three (3) acres may be split from the greater parcel and sold to a third party buyer for development of an athletic training facility, and

WHEREAS, In order to permit the three (3) acre parcel to be split and sold as must be authorized by separate Ordinance, the Amendment to Ground Lease Agreement attached hereto and labeled “**EXHIBIT 1**” must be authorized by City Council and then executed by the Mayor and tenant.

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

SECTION 1. The Mayor is authorized to amend the ground lease agreement currently in effect with PMJ Park Holdings, LLC by executing the Amendment to Ground Lease Agreement in the same or substantially similar form as shown in the attached “EXHIBIT 1”.

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.

5260-2015 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 1294, SUPPLEMENTARY REGULATIONS, BY EXEMPTING SERVICE STATION AND OTHER SIMILAR COMMERCIAL OR BUSINESS-USE CANOPIES FROM SETBACK REQUIREMENTS.

WHEREAS, when a new service station or other commercial building requiring a canopy is proposed, or when an existing business seeks to enlarge its canopy, under current building regulations setback variances may be required; and

WHEREAS, setback limitations were developed primarily to regulate the distance an enclosed structure must be from various boundaries for safety and other purposes; and

WHEREAS, canopies do not implicate the same concerns because they are overwhelmingly open structures without walls.

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

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SECTION 1. N.R.C.O. Chapter 1294, *Supplemental Regulations*, is hereby amended to provide that service stations and other similar commercial or business-use canopy structures are exempt from front yard setback requirements conditioned upon the finding by the CBO or the CBO's designee that all of the following apply:

- a. The canopy is an open structure without walls and whose supporting structure does not obstruct any views or sightlines for safety purposes; and
- b. The canopy does not materially alter the character of the neighborhood or surrounding area to the degree that the predominate character of the area is changed; and
- c. Safety services are not negatively impacted; and
- d. No part of the canopy shall exist in or over the right-of-way boundaries of any adjacent road or street.

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.

5261-2015 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 NEW KUBOTA RTVX1100 CW UTILITY VEHICLE AND ANY AUXILIARY EQUIPMENT TO BE USED AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT; TO HAVE THE SELLING PRICE OF THE 2010 KUBOTA RTV1100 X UTILITY VEHICLE BE CREDITED AGAINST THE PURCHASE PRICE OF THE KUBOTA RTVX1100 CW UTILITY VEHICLE; AND TO ENTER INTO AN AGREEMENT WITH THE LOWEST AND BEST BIDDER, NOT TO EXCEED \$20,000.00 (GROSS SALES PRICE).

WHEREAS, the following City-owned equipment no longer serves a municipal purpose: 2010 KUBOTA RTV1100 X utility vehicle, SN 27502; and

WHEREAS, the City is in need of a new KUBOTA RTVX1100 CW utility vehicle and any auxiliary equipment, the value of which is approximately \$17,300.00; and

WHEREAS, it is in the best interest of the City that the sale of the above listed 2010 Kubota RTV1100 X utility vehicle be made simultaneously with the purchase of the new Kubota RTVX1100 CW utility vehicle, and any auxiliary equipment in order to have the sale price (trade-in) of the 2010 Kubota RTV1100 X utility vehicle credited against the purchase price of the new Kubota RTVX1100 CW utility vehicle and any auxiliary equipment; and

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WHEREAS, O.R.C. Section 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 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 listed 2010 Kubota RTV1100 X utility vehicle for approximately \$7,700.00; after receipt of the of the trade-in value of the 2010 Kubota RTV1100 X utility vehicle, the net cost to the City for the new Kubota RTVX1100 CW utility vehicle and auxiliary equipment will be approximately \$9,600.00.

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 2010 Kubota RTV1100 X utility vehicle that no longer serves a municipal purpose; to seek quotes for the purchase of a new Kubota RTVX1100 CW utility vehicle and any auxiliary equipment to be used at the French Creek Wastewater Treatment Plant; to have the selling price of the above listed 2010 Kubota RTV1100 X utility vehicle credited against the purchase price of the new Kubota RTVX1100 CW utility vehicle, and any 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 \$20,000.00 (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 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.

5262-2015 PID NO. 82632; PROJECT NAME: LOR USR 20-22.19
AN ORDINANCE COOPERATING WITH THE DIRECTOR OF THE OHIO
DEPARTMENT OF TRANSPORTATION TO WIDEN 2.32 MILES OF CENTER
RIDGE ROAD FROM THREE LANES TO FIVE LANES FROM STONEY
RIDGE ROAD TO LEAR NAGLE ROAD IN THE CITY OF NORTH
RIDGEVILLE, OHIO.

5262-2015 Continued

WHEREAS, it is the opinion of Council and upon the recommendation of the Ohio Department of Transportation that it would be conducive to the public welfare and safety of the motoring public to improve 2.32 miles of US 20 (Center Ridge Road), by widening Center Ridge Road from three lanes to five lanes from Stoney Ridge Road to Lear Nagle Road; and

WHEREAS, upon passage of this Ordinance, the Clerk of Council shall mail two (2) copies of this Ordinance to Mike Schafrath, P.E., District 3 Work Plan Coordinator, Ohio Department of Transportation, District 3, 906 Clark Avenue, Ashland, OH 44805.

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

SECTION 1 – Project Description

The State and the City of North Ridgeville have identified the need for the described project:

The project improves 2.32 miles of US 20 (Center Ridge Road) in North Ridgeville, Ohio, by widening Center Ridge Road from three lanes to five lanes from Stoney Ridge Road to Lear Nagle Road. The project also includes constructing all new pavement, curb and gutter, sidewalk, shared-use path, storm sewer, new traffic signals, the addition of turn lanes where needed and access management. This project will re-align Root Road and Ridgeview Boulevard and replace the two structures carrying US 20 and Root Road over French Creek. This project also includes improvements to side roads, Garden Street and construction of a new street named Sinta Run.

SECTION II – Consent Statement

Being in the public interest, the City of North Ridgeville gives consent to the Director of Transportation to complete the above-described project.

SECTION III – Authority to Sign

The Mayor is hereby empowered and directed on behalf of the City of North Ridgeville to enter into agreements with the Director of Transportation necessary to complete the construction of this improvement.

SECTION IV – Cooperation Statement

The City of North Ridgeville shall cooperate with the Director of Transportation in the above-described project as follows:

- 1) *ODOT agrees to administer the described work.*
- 2) *ODOT agrees to assume and bear \$15,515,000.00 of construction and associated construction engineering costs utilizing ODOT Major New Funds.*
- 3) *NOACA agrees to assume and bear \$500,000.00 of construction and associated construction engineering costs associated with the new traffic signals included in this project utilizing MPO CMAQ Funds.*

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- 4) *ODOT agrees to assume and bear ninety percent (90%) of construction and associated construction engineering costs utilizing Safety Funds capped at \$5,000,000.00.*
- 5) *The City agrees to assume and bear the ten percent (10%) match of the construction and associated construction engineering costs based on capped Safety Funds. The City share is \$555,556.00.*
- 6) *NOACA agrees to assume and bear eighty percent (80%) of the construction and associated construction engineering costs utilizing MPO STP Funds capped at \$5,000,000.00.*
- 7) *The City agrees to assume and bear the twenty percent (20%) match of the construction and associated construction engineering costs based on capped MPO STP Funds. The City share is \$1,250,000.00.*
- 8) *The City agrees to assume and bear one hundred percent (100%) of the construction and associated construction engineering costs for the additional water and detention basin work requested by the City that is not project eligible. The City sanitary work to be included in the project is currently estimated at \$164,540.00.*
- 9) *The City agrees to assume and bear one hundred percent (100%) of the actual construction and construction engineering costs above the capped funds amount inclusive of City matches of \$26,000,519.00 construction and \$1,820,036.00 construction engineering. The City share is currently estimated at \$0.*
- 10) *All permanent right-of-way parcels within the City of North Ridgeville will be secured by warranty deed in the name of the "City of North Ridgeville".*

SECTION V – Maintenance

Upon completion of the described project, and unless otherwise agreed, the City shall:

- 1) *Provide adequate maintenance for the described project in accordance with all applicable state and federal laws;*
- 2) *Provide ample financial provisions, as necessary, for the maintenance of the described project;*
- 3) *Maintain the right-of-way, keeping it free of obstructions; and hold said right-of-way inviolate for public highway purposes.*

SECTION VI – Utilities and Right-of-Way Statement

All utility accommodations, relocation, and reimbursement are project eligible and will comply with the current provisions of 23 CFR 645 and the ODOT Utilities Manual.

SECTION VII – Legal Requirements

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

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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 VIII – Effective Date

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

CITY COUNCIL MEETING DATES FOR 2015

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

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