



## CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 06.17.2019

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The City of North Ridgeville Legislative Bulletin contains Ordinances and Resolutions acted upon by City Council. If noted within Ordinance or Resolution text, supplemental and supporting documents, such as exhibits, are available, upon request, by contacting Tara L. Peet, MMC at the Clerk of Council's office, 7307 Avon Belden Road, North Ridgeville, OH 44039, (440) 353.1508.

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### RESOLUTION(S)

**1456-2019 A RESOLUTION OF THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, OHIO, APPROVING AND RATIFYING AN APPLICATION FOR TAX INCENTIVE IN COMMUNITY REINVESTMENT AREA NO. 14 CREATED BY CITY OF NORTH RIDGEVILLE RESOLUTION NO. 768-94 AND SUBSEQUENT AMENDMENTS THERETO, PROGRESSIVE NORTH RIDGEVILLE REAL ESTATE, A LIMITED LIABILITY COMPANY ORGANIZED AND EXISTING UNDER THE LAWS OF THE STATE OF OHIO.**

**WHEREAS**, the Council of the City of North Ridgeville, Ohio, by Resolution No. 768-94 adopted on June 20, 1994 and subsequent amendments thereto, established and described the boundaries of a "Community Reinvestment Area No. 14" in accordance with Section 3736.66 of the Ohio Revised Code; and

**WHEREAS**, the Council of the City of North Ridgeville, Ohio, established standards for the terms and extent of the real property exemptions permitted within Community Reinvestment Area No. 14 by the passage of Resolution No. 768-94 and subsequent amendments thereto; and

**WHEREAS**, Progressive North Ridgeville Real Estate, a Limited Liability Company organized and existing under the laws of the State of Ohio, has submitted a Tax Incentive Request, on a form prescribed for that purpose by the City of North Ridgeville, Ohio, setting the outline of a plan for the construction of an 85,000 square foot, 103-bed state of the art skilled nursing facility to be located on approximately 11 acres consisting of 3 parcels at the corner of Lear Nagle and Washington in North Ridgeville, which will include amenities such as private rooms, private showers, and comprehensive therapy treatments at an approximate cost of \$18,025,000.00 within the City of North Ridgeville Community Reinvestment Area No. 14, to hire 100 full-time and 20 part-time employees, and to encourage economic stability, maintain real property values, and generate new employment opportunities in the City of North Ridgeville; and has requested that the City of North Ridgeville grant tax exemption incentives mentioned in Section 3735 and related sections of the Ohio Revised Code in exchange for the implementation of the aforementioned plan and application as attached hereto; and

**1456-2019 Continued**

**WHEREAS**, the Tax Abatement Review Board has reviewed the application submitted by Progressive North Ridgeville Real Estate, and has recommended the same for approval. Progressive North Ridgeville Real Estate is found to qualify for a Class 3 exemption under Section 3(C) of Resolution No. 768-94 as amended.

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

**SECTION 1.** The Housing Officer is hereby directed and authorized to grant the application of - Progressive North Ridgeville Real Estate, an Ohio Limited Liability Company, for a Class 3 Community Reinvestment Area No. 14 tax incentive, pursuant to the authority of Resolution No. 768-94 as amended, in accordance with the description set forth in the application attached hereto and incorporated by reference herein.

**SECTION 2.** The Clerk of Council is hereby directed immediately to transmit a certified copy of this Resolution, along with the Tax Incentive Request, to the Lorain County Auditor and other appropriate state and local officials including without limitation the North Ridgeville City School District.

**SECTION 3.** The Mayor is hereby authorized to enter into an agreement establishing the CRA Tax Incentive in substantially the same form and terms as attached hereto to this Resolution and labeled **Exhibit 1.**

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

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**ORDINANCE(S)**

**5649-2019      AN ORDINANCE AMENDING ORDINANCE NO. 5622-2019 WHICH AUTHORIZED THE MAYOR TO ENTER INTO A CONTRACT WITH THE LOWEST AND BEST BIDDER FOR CONSTRUCTION OF THE MILDRED STREET RECONSTRUCTION AND EXTENSION PROJECT, BY INCREASING THE NOT TO EXCEED AMOUNT TO \$900,000.00 AND DECLARING AN EMERGENCY.**

**WHEREAS**, portions of Mildred Street within the City of North Ridgeville have failed and no longer meet proper standards of engineering for the health, safety, and economy for vehicles and pedestrian traffic; and

**5649-2019 Continued**

**WHEREAS**, the City's consultant engineer's final construction estimate, after the completion of the construction documents, was \$935,000.00; and

**WHEREAS**, the City has received bids below the engineer's final estimate, but above the not to exceed amount of Ordinance No. 5622-2019, which was \$726,795.00; and

**WHEREAS**, the City needs to increase the "not to exceed amount" to \$900,000.00, which is a total of the lowest and best construction bid received at \$813,826.00 and an contingency amount of \$86,174.00 for any unforeseen conditions that may arise during construction; and

**WHEREAS**, the City has been awarded a \$350,000.00 grant from the Ohio Public Works Commission to assist in the development of plans and construction of the Mildred Street Reconstruction and Extension Project.

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

**SECTION 1.** Ordinance No. 5622-2019, which authorized the Mayor of the City of North Ridgeville to enter into a contract with the lowest and best bidder for construction of the Mildred Street Reconstruction and Extension Project, is hereby amended by increasing the "not to exceed amount" from \$726,795.00 to \$900,000.00.

**SECTION 2.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

**SECTION 3.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to move the project forward this year. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5650-2019      AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, WITH AECOM TECHNICAL SERVICES, INC. FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVICES FOR THE WESTFIELD PLANT DECOMMISSIONING, WATER AND SEWER EXTENSION INCLUDING APPURTENANCES, NOT TO EXCEED \$240,000 AND DECLARING AN EMERGENCY.**

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

**5650-2019 Continued**

**WHEREAS**, the existing 6-inch 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 construction project has been bid and the low bidder's proposal is under the construction cost estimate; and

**WHEREAS**, the City of North Ridgeville desires to enter into a contract with AECOM Technical Services, Inc., a professional design, engineering, construction and management firm, for the purposes of construction administration and inspection in order to manage the construction process and execute the contract.

**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 AECOM Technical Services, Inc. for the purposes of construction administration and inspection in order to manage the construction process and execute the contract for the Westfield Plant Decommissioning, Water and Sewer Extension Project in an amount not to exceed \$240,000.00.

**SECTION 2.** The costs associated with this 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 §121.22 of the Ohio Revised Code.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure in order to get the plant replaced, which is in failing condition, as soon as possible. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5651-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT, ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW, WITH KS ASSOCIATES, INC. FOR PLANS AND SPECIFICATIONS FOR THE RANGER WAY EXTENSION DESIGN INCLUDING OTHER SUPPLEMENTAL SERVICES, NOT TO EXCEED \$175,000 AND DECLARING AN EMERGENCY.**

**WHEREAS**, Ranger Way will be extended from the Academic Center's north driveway to Bainbridge Road for a length of approximately 1,700 feet; and

**5651-2019 Continued**

**WHEREAS**, Kenssington Drive will be realigned such that it will connect to the proposed Ranger Way alignment and no longer be directly connected to Bainbridge Road. This alignment will minimize the number of street intersections at Bainbridge Road and therefore reduce traffic congestion in the area of the Academic Center; and

**WHEREAS**, the North Ridgeville Fire Station headquarters is at the dead-end of Ranger Way and has limited access through the school campus for the emergency service vehicles to travel to service calls south of the headquarters from Bainbridge Road. When the school gates are closed, the emergency vehicles must travel north on Ranger Way to Center Ridge Road before they can proceed south to get to service calls south of the headquarters; and

**WHEREAS**, the proposed Ranger Way alignment will require the acquisition of property from the North Ridgeville Board of Education; and

**WHEREAS**, the City of North Ridgeville has appropriated the necessary funds for the design and construction of the continuation of Ranger Way; and

**WHEREAS**, the City of North Ridgeville has received a proposal from KS Associates, Inc. to provide design services including field survey, environmental investigation, right-of-way plan preparation, improvement plans and specification preparation and other supplemental services for \$175,000.00.

**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, Ohio, is hereby authorized to enter into a contract, according to law and in a manner prescribed by law, with KS Associates, Inc. for design services including field survey, environmental investigation, right-of-way plan preparation, improvement plans and specification preparation and other supplemental services for an amount not to exceed \$175,000.00.

**SECTION 2.** The cost for said engineering services 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.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to complete the engineering for the budget discussion in November. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5652-2019 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 CHESTNUT RIDGE ROAD AND ALTERNATE STATE ROUTE 83 ROUNDABOUT, NOT TO EXCEED \$154,000.00 AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of North Ridgeville is desirous of improving the increasingly congested intersection located at Chestnut Ridge Road and Alternate State Route 83 by replacing the intersection with a circular traffic roundabout; and

**WHEREAS**, this intersection has been studied and the study determined that one of the best solutions to the traffic congestion problem identified during peak hours is to provide a roundabout instead of a traditional signalized intersection with turning lanes; and

**WHEREAS**, the City has received a proposal from a consulting engineering firm to provide engineering and design services including geotechnical investigation, field survey, construction plan preparation, environmental investigation and other supplemental services for \$154,000.00; and

**WHEREAS**, the City will apply for a construction grant for the project from the Ohio Public Works Commission in September of 2019; and

**WHEREAS**, the City has been awarded a NOPEC Energized Community Grant in the amount of \$112,694.00 for the engineering and design associated with this intersection and the remaining \$41,306.00 for engineering and design shall be paid for by the City.

**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 and bidding documents in an amount not to exceed \$154,000.00, for a roundabout at the intersection of Chestnut Ridge Road and Alternate State Route 83.

**SECTION 2.** The cost for said engineering services 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.

**SECTION 4.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to get the engineering completed for the OPWC grant deadline of September 1. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5653-2019 AN ORDINANCE AUTHORIZING THE MAYOR TO PURCHASE A LADDER TRUCK AND PUMPER TRUCK AND RELATED EQUIPMENT FOR THE FIRE DEPARTMENT THROUGH THE OHIO COOPERATIVE PURCHASING PROGRAM AND ENTER INTO A CONTRACT WITH SUTPHEN CORPORATION, NOT TO EXCEED \$1,500,000.00 AND DECLARING AN EMERGENCY.**

**WHEREAS**, City Council has issued bond anticipation notes in the amount of \$1,000,000.00, approved the transfer of \$500,000.00 to the Fire Truck and Equipment Fund, and appropriated such funds for the purchase of two fire trucks and related equipment for the Fire Department; and

**WHEREAS**, the purchase of the two fire trucks are exempt from the competitive bid process because they are purchased from the State Term Schedules of the Ohio Cooperative Purchasing Program, specifically, Sutphen Corporation; and

**WHEREAS**, the existing ladder truck and 1993 pumper, upon delivery of the new trucks, will be obsolete and no longer needed.

**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 with Sutphen Corporation for the purchase of a ladder truck and pumper truck and related equipment for the Fire Department from the Ohio Cooperative Purchasing Program, not to exceed \$1,500,000.00.

**SECTION 2.** City Council finds upon delivery of the new trucks, the existing ladder truck and the 1993 pumper truck will no longer serve a municipal purpose and hereby approves the sale or trade-in of the obsolete trucks of which the trade-in proceeds will be subtracted from the purchase price of the new trucks.

**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 place the order before July 1 as the cost will go up. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5654-2019 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.**

**5654-2019 Continued**

**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 is 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:

Fund Number	Fund	Personal Services	Other	Transfers and Advances	Total
101	<b>General Fund</b>				
	Building Department	\$49,000	\$20,500	\$0	\$69,500
	<b>Other Funds</b>				
410	Capital Projects	0	514,000	0	514,000
691	Storm Water Management	25,000	20,000	0	45,000
Total Other Funds		25,000	534,000	0	559,000
Total All Funds		\$74,000	\$554,500	\$0	\$628,500

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

From	To	Amount
DUI Task Force Grant, Personal Services	DUI Task Force Grant, Other	\$40,000

**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.



**5654-2019 Continued**

**SECTION 6.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to pay City obligations. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5655-2019 AN ORDINANCE CREATING THE PART-TIME, NON-UNION JOB POSITION OF “SAFETYVILLE INSTRUCTOR” FOR THE CITY OF NORTH RIDGEVILLE AND DECLARING AN EMERGENCY.**

**WHEREAS,** the City of North Ridgeville, through its Police Department, created and operates Safetyville; and

**WHEREAS,** Safetyville is a community service program which provides an educational setting in which children receive instruction on various safety issues; and

**WHEREAS,** in order to maintain the effective and efficient operations of Safetyville, City Council and the City Administration desire to create the part-time, non-union position of Safetyville Instructor, who will provide instruction to both helpers and children who participate in Safetyville.

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

**SECTION 1.** The part-time, non-union job position of “Safetyville Instructor” is hereby created and shall be in the classified Civil Service. He or she shall report to the Chief of Police.

**SECTION 2.** The qualifications and assigned duties (“job description”) for the part-time, non-union position of Safetyville Instructor shall be determined by the Administration, and shall be updated from time to time as needed.

**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 due to the position being in place and Safetyville already beginning. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5656-2019 AN ORDINANCE AMENDING ORDINANCE NO. 4571-2008, PROVIDING FOR PART-TIME, NON-UNION JOB POSITIONS, WAGE RATES AND BENEFITS, AND SUBSEQUENT AMENDMENTS THERETO, BY INCLUDING THE WAGE RATE FOR THE PART-TIME, NON-UNION SAFETYVILLE INSTRUCTOR AND DECLARING AN EMERGENCY.**

**5656-2019 Continued**

**WHEREAS**, City Council and the Administration created the part-time, non-union job position of “Safetyville Instructor” in the City of North Ridgeville; and

**WHEREAS**, City Council and the Administration desire to create a pay rate for the part-time, non-union position of “Safetyville Instructor”; and

**WHEREAS**, City Council and the Administration desire to amend Ordinance No. 4571-2008 and subsequent amendments thereto, which provide for part-time, non-union wage rates and benefits.

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

**SECTION 1.** The following hourly pay rate is hereby created for the part-time, non-union position of Safetyville Instructor and shall be added to the pay rate schedule contained in Ordinance No. 4571-2008:

Safetyville Instructor	\$25.00
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**SECTION 2.** In all other respects, Ordinance No. 4571-2008 and subsequent amendments thereto, shall remain in full force and effect as previously passed and approved.

**SECTION 3.** This Ordinance shall be retroactive to June 1, 2019.

**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 the need to pay the person for services that were/are being rendered. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

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**5657-2019      AN ORDINANCE AMENDING N.R.C.O. § 1024.06, *USE OF UNCLAIMED SIDEWALK DEPOSITS; REFUNDS; AND N.R.C.O. §1024.05(S), SIDEWALK REQUIRED PRIOR TO OCCUPANCY; SECURITY DEPOSIT.***

**WHEREAS**, sidewalk deposits, of the type designed for possible future sidewalk construction of exempt properties, are no longer collected; however, deposits for new construction are still collected; and

**WHEREAS**, it appears that numerous exemptions are allowed from the requirement to install a sidewalk; and

**5657-2019 Continued**

**WHEREAS**, it is desirable to require sidewalks on both sides of all roadways; and

**WHEREAS**, N.R.C.O. Section 1024.06(5)(b) currently states:

(5) Any outstanding sidewalk liens placed prior to the effective date of this ordinance shall be deemed cancelled and withdrawn; however, those properties shall become subject to Section 1024.06(c) below.

(b) No deposit shall be required for those individuals whose situation conforms with one or more of the following criteria:

(1) A sidewalk does not exist within 2,000 feet in any direction from any property corner. In the unusual instance where a homeowner installs a sidewalk, not requested by the City, whether or not this triggers the requirement for neighboring properties to also install a sidewalk shall be on a case-by-case basis determined jointly by the Chief Building Official and the City Engineer and shall include, but not be limited to, considerations such as the possibility that other sidewalks will also be installed, other considerations contained in this subsection, the potential for growth in that area in the near future and any other relevant factors.

(2) The property is not within a subdivision.

(3) The property is not within 2,500 feet of a City park or a public or private school with primary or secondary programs, whether classes are currently held there or not, measured from any property corner.

(4) A sidewalk is not required by the Planning Commission at a regular meeting of the Planning Commission.

(5) Compliance is impractical due to site conditions, safety concerns, or engineering concerns as determined by the City Engineer and documented in writing.

(6) Extreme financial hardship would result where the landowner is indigent or would become indigent if required to install the sidewalk, as determined by the Safety Service Director and documented in writing; and

**WHEREAS**, Section 1024.06(c)(2) currently states:

(c) For situations which do not require a sidewalk deposit pursuant to subsection (b) above, the following additional requirement is placed upon all such landowners until a sidewalk is constructed:

(1) The property owner shall be required to install a sidewalk at the City's request when any one or more of the conditions in subsection (b) above no longer applies to the property.

(2) Should the property owner refuse to install a sidewalk when requested within a reasonable time frame as determined by the City Engineer or the Engineer's designee, the property shall be assessed. A lien in the amount to install the sidewalk as calculated by the City Engineer, together with an administrative fee of fifty dollars (\$50.00), shall be certified to the County Auditor by the appropriate department head.

Such amount shall be entered upon the tax duplicate and shall be a lien upon the property to be collected as other taxes and assessments are collected and returned to the City when so collected and used to install the requested sidewalk or to cover the cost of installation if the City has already installed the sidewalk at the City's expense.

**5657-2019 Continued**

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

**SECTION 1.** The following additional language shall be added to N.R.C.O. §1024.05(a):

Sidewalks shall be required on both sides of newly constructed highways, streets, avenues or alleys open to public use, whether flanked on either, neither, or both sides with dwellings, apartments or commercial and industrial buildings.

**SECTION 2.** N.R.C.O. §1024.06(5)(b) shall be amended to eliminate exemptions (2), (4), and (6) and shall read as follows:

(b) No deposit, and therefore no sidewalk, shall be required for those individuals whose situation conforms to one or more of the following as long as the situation persists:

- (1) A sidewalk does not exist within 2,000 feet in any direction from any property corner.
- (2) The property is not within 2,500 feet of a City park or a public or private school with primary or secondary programs, whether classes are currently held there or not, measured from any property corner.
- (3) Compliance is impractical due to site conditions, safety concerns, or engineering concerns as determined by the City Engineer and documented in writing.

**SECTION 3.** Section 1024.06(c)(2) \_\_\_\_\_:

(c) For situations which do not require a sidewalk deposit pursuant to subsection (b) above, the following additional requirement is placed upon all such landowners until a sidewalk is constructed:

- (1) The property owner shall be required to install a sidewalk at the City's request when any one or more of the conditions in subsection (b) above no longer applies to the property.
- (2) Should the property owner refuse to install a sidewalk when requested within a reasonable time frame as determined by the City Engineer or the Engineer's designee, the property shall be assessed. A lien in the amount to install the sidewalk as calculated by the City Engineer, together with an administrative fee of fifty dollars (\$50.00), shall be certified to the County Auditor by the appropriate department head. Such lien shall be assessed after the time frame determined by the Engineer as being a reasonable amount of time to install a sidewalk, but not before the City actually installs the sidewalk.

Such amount shall be entered upon the tax duplicate and shall be a lien upon the property to be collected as other taxes and assessments are collected as other taxes and assessments are collected and returned to the City when so collected and used to cover the cost of installation if the City has installed the sidewalk.

**5657-2019 Continued**

**SECTION 4.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

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

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**5658-2019 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 440, COMMERCIAL AND HEAVY DUTY VEHICLES.**

**WHEREAS,** some differences between the Ohio Revised Code and the North Ridgeville Codified Ordinances need to be amended; and

**WHEREAS,** N.R.C.O. Section 440.09, *Loads Dropping or Leaking; Tracking Mud; Removal Required*, currently states:

(d) It shall be the duty of the driver of a vehicle who unlawfully drops or deposits mud, stones, gravel or other similar material or permits the load or any portion thereof to be dropped or deposited upon any street, highway or other public place to immediately remove the same or cause it to be removed.

**WHEREAS,** N.R.C.O. 440.14, *Loads Spilling; Responsibility of Hauler and Prime Contractor*, currently states:

(a) No person shall haul or transport any material over any portion of the streets in the Municipality without making adequate provision to prevent the spillage of any material upon the streets. In the event of any such spillage in the course of such hauling or transporting, the material deposited upon the street shall forthwith be removed by the hauler. Upon notification to the prime contractor, such prime contractor shall be equally obligated to remove such spillage forthwith and any action brought pursuant to this section may be brought against the hauler, the prime contractor, or both such parties.

**WHEREAS,** N.R.C.O. 440.20, *Night Parking in Residence Districts*, currently states:

No person shall park a school bus, commercial tractor, agricultural tractor, **truck of more than one-half ton capacity**, bus, trailer, semitrailer, pole trailer or moving van on any street within a Residence District, as provided in the Planning and Zoning Code, between one hour after sunset and one hour before sunrise.

**WHEREAS,** Section 440.28, *Log Book and Safety Equipment*, currently states:

No motor transportation company, as defined in Ohio R.C. 4921.02, or private motor carrier, as defined in Ohio R.C. 4923.02, shall operate a motor vehicle upon the roads, streets and highways of the

## 5658-2019 Continued

Municipality without carrying a **log book** and safety equipment and without complying with all other rules and regulations prescribed by the State Public Utilities Commission.

**WHEREAS**, Section 440.165(4) currently states:

For each permit, the Safety-Service director shall charge twenty dollars (\$20.00), and for each hour of time or any part thereof spent by each police officer in supervising the movement of such a vehicle, the applicant shall pay the sum of twenty dollars (\$20.00).

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

**SECTION 1.** To increase enforcement action should the driver fail to comply, the following language shall be added to Section 440.09 *Loads Dropping or Leaking; Tracking Mud; Removal Required*:

(d) If the driver of a vehicle who unlawfully drops or deposits mud, stones, gravel, or other similar material or permits the load or any portion thereof to be dropped or deposited upon any street, highway, or other public place does not remove or cause to be removed the same to a reasonable degree and substantially similar to the level it was before it was deposited; and within twenty-four hours, the driver may be issued an additional citation for the continued violation.

**SECTION 2.** To increase enforcement action should the driver, hauler or contractor fail to comply with the provisions of Section 440.14 *Loads Spilling; Responsibility of Hauler and Prime Contractor*, similar language shall be added:

(a) If the driver, hauler, or prime contractor fails to make adequate provision to prevent spillage of any material upon the streets or fails to remove any spillage from the street to a reasonable degree and substantially similar to the level it was before it was spilled; and within twenty-four hours, either the driver, hauler, or prime contractor may be issued an additional citation for the continued violation.

**SECTION 3.** Section 440.20, *Night Parking in Residence Districts*, shall be amended to state:

No person shall park a school bus, commercial tractor, agricultural tractor, **truck of more than six tons capacity**, bus, trailer, semitrailer, pole trailer or moving van on any street within a Residence District, as provided in the Planning and Zoning Code, between one hour after sunset and one hour before sunrise.

**SECTION 4.** Section 440.28, *Log Book and Safety Equipment*, shall be amended to state:

No motor transportation company, as defined in Ohio R.C. 4921.02, or private motor carrier, as defined in Ohio R.C. 4923.02, shall operate a motor vehicle upon the roads, streets and highways of the Municipality without carrying a **log book, or its functional equivalent**, and safety equipment and without complying with all other rules and regulations prescribed by the State Public Utilities Commission.

**SECTION 5.** Section 440.165(4) shall be amended to state:

**5658-2019 Continued**

For each such permit, the Safety Service Director shall charge twenty dollars (\$20.00), and for each hour of time or any part thereof spent by each police officer in supervising the movement of such a vehicle, the applicant shall pay the sum of the hourly wage, with benefits included, of a Class C Patrolman (\$46.29 in 2019).

**SECTION 6.** 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 7.** This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

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**5659-2019      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 PURCHASE OF A DISK FILTER SYSTEM AND ANCILLARY EQUIPMENT FOR UPGRADING THE TERTIARY FILTER SYSTEM AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$5,000,000.**

**WHEREAS,** the French Creek Wastewater Treatment Plant's effluent filtration system is a vital component of the wastewater treatment system, but is forty years old and failing; and

**WHEREAS,** in order to maintain compliance with the plant's NPDES permit, it is a requirement to keep systems and facilities up to date with current environmental regulations; and

**WHEREAS,** the City has already authorized engineering for this project in an amount not to exceed \$450,000.00 and the engineering design is now complete.

**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(s), according to law and in a manner prescribed by law, with the lowest and best bidder(s), not to exceed \$5,000,000.00 for the purchase of three disk filter systems, filter building modifications and new paved driveway access to the filter building for 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.

**5659-2019 Continued**

**SECTION 2.** The cost of the disk filter system and all ancillary equipment 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 §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.

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**CITY COUNCIL MEETING DATES FOR 2019**

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

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