



## 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.

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### ORDINANCE(S)

**5559-2018 AN ORDINANCE CREATING THE FULL-TIME POSITION OF CIVIL ENGINEER I (EI) AND DECLARING AN EMERGENCY.**

**WHEREAS**, the North Ridgeville City Council and the Administration desire to create the full-time position of Civil Engineer I (EI).

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

**SECTION 1.** The full-time job position of Civil Engineer I (EI) is hereby created and shall be in the classified Civil Service. He or she shall report to the City Engineer.

**SECTION 2.** The qualifications and assigned duties ("job description") for the position of Civil Engineer I (EI) 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 the immediate necessity to staff the Engineering Department in order to meet project deadlines. 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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**5560-2018 AN ORDINANCE AMENDING THE ORIGINAL DEPARTMENT HEAD SALARY ORDINANCE NO. 2725-93 AND SUBSEQUENT AMENDMENTS THERETO BY INCLUDING THE FULL-TIME POSITION OF CIVIL ENGINEER I (EI) AND ESTABLISHING THE PAY RATE RANGE FOR THIS POSITION AND DECLARING AN EMERGENCY.**

**WHEREAS**, City Council and the Administration have created the full-time position of Civil Engineer I (EI); and

**WHEREAS**, City Council and the Administration desire to create a pay scale for the new position of Civil Engineer I (EI); and

**WHEREAS**, City Council and the Administration desire to amend Ordinance No. 2725-93, which provides wage rates for the City of North Ridgeville and subsequent amendments thereto.

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

**SECTION 1.** Ordinance No. 2725-93, which provides wage rates for the City of North Ridgeville, and subsequent amendments thereto, are hereby amended by including the full-time position of Civil Engineer I (EI).

**SECTION 2.** An annual pay rate range of \$52,111.00 to \$63,439.00 is hereby established for the full-time position of Civil Engineer I (EI) and shall be added to the pay rate schedule contained in Ordinance No. 2725-93 and subsequent amendments thereto.

**SECTION 3.** The position of Civil Engineer I (EI) shall be entitled to the benefits provided by North Ridgeville Ordinance No. 2725-93 which has been, from time to time, amended.

**SECTION 4.** In all other respects, Ordinance No. 2725-93, and subsequent amendments thereto, shall remain in full force and effect as previously passed and approved.

**SECTION 5.** It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

**SECTION 6.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to staff the Engineering Department in order to meet project deadlines. 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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**5561-2018 AN ORDINANCE AMENDING ORDINANCE NO. 5555-2018, WHICH AUTHORIZED THE CREATION OF A SMALL CELL DESIGN GUIDELINE MANUAL AND DECLARING AN EMERGENCY.**

**WHEREAS**, certain verbiage was modified in Ordinance No. 5555-2018 at the City Council meeting;

**WHEREAS**, the fourth “Whereas” clause contained in Ordinance No. 5555-2018 currently reads as follows:

Whereas, the Administration requests authorization to create and subsequently modify a design guideline manual for small cells usage in designated right-of-ways in accordance with H.B. 478 and the Ohio Revised Code Chapter 4939 which will be referred to and incorporated into the small cell Ordinance.

**WHEREAS**, Section 1 of Ordinance No. 5555-2018 currently reads as follows:

The Administration is hereby authorized to create and subsequently modify a small cell design guideline manual as is authorized by H.B. 478 and Ohio Revised Code Chapter 4939 and which will be referred to and incorporated into the upcoming small cell legislation.

**WHEREAS**, it is being proposed to amend Ordinance No. 5555-2018 by deleting those changes and reinstating the Ordinance as it was originally submitted to City Council.

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

**SECTION 1.** The fourth “Whereas” clause contained in Ordinance No. 5555-2018 is hereby amended to read as it was originally submitted to City Council, as follows:

Whereas, the Administration requests authorization to create a design guideline manual for small cells for the use of right-of-ways for small cell usage in accordance with H.B. 478 and the Ohio Revised Code Chapter 4939 which will be referred to and incorporated into the small cell Ordinance. Any subsequent modifications to the design guide manual for small cells must be approved by Council.

**SECTION 2.** The words “and subsequently modify” in Section 1 of Ordinance No. 5555-2018 shall be deleted.

**SECTION 3.** All other sections, terms and provisions of Ordinance No. 5555-2018 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

**5561-2018 Cont'd**

**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 immediate necessity to meet the deadline of August 4, 2018. 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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**5562-2018      AN ORDINANCE CREATING A NEW CHAPTER ENTITLED “USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES” AS PART OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE OF THE CITY OF NORTH RIDGEVILLE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.**

**WHEREAS,** Substitute House Bill 478 (Sub. H.B. 478) will go into effect on or about August 4, 2018; and

**WHEREAS,** Sub. H.B. 478 amends Ohio Revised Code (O.R.C.) Chapter 4939 to provide, among other things, that municipalities permit federally licensed wireless service providers, cable providers, video service providers, and their designated agents to construct, maintain, modify, operate, or replace small cell facilities and pole/support structures therefor in the public right-of-ways and also to attach small cell wireless facilities to certain municipally-owned support structures located in the public right-of-way; and

**WHEREAS,** the City of North Ridgeville (the City) desires to regulate small cell facilities, new wireless support structures, and the persons and entities who desire to construct, operate, and maintain such facilities in the City; and

**WHEREAS,** the City finds creating and enacting new Chapter entitled “Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures” as part of the Streets, Utilities and Public Services Code of the City of North Ridgeville Codified Ordinances promotes the health, safety, and welfare of the City and its residents.

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

**SECTION 1.** A new Chapter entitled “Use of Public Ways for Small Cell Wireless Facilities and Wireless Support Structures” is hereby created as part of the Streets, Utilities and Public Services Code of the City of North Ridgeville Codified Ordinances in substantially the same form as **Exhibit “A”** attached hereto.

**5562-2018 (Cont'd)**

**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 due to time limitations. 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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**5563-2018      AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF A PROPOSAL TO REPEAL SECTION 9.7 MANDATORY REFERRAL OF REZONING TO ELECTORS, OF ARTICLE IX ZONING AND BUILDING ORDINANCES AND BOARD OF APPEALS, OF THE CHARTER OF THE CITY OF NORTH RIDGEVILLE, OHIO AND DECLARING AN EMERGENCY.**

**WHEREAS**, currently, the North Ridgeville City Charter, Section 9.7, has a mandatory referral to the North Ridgeville electorate of any attempt to zone parcels of land for mixed use and multiple family dwellings; and

**WHEREAS**, several projects which involved mixed use and/or multiple family dwellings have failed to come to fruition due to this Charter provision; and

**WHEREAS**, mixed use and/or multiple family dwellings can provide services and options to the community that would increase the standard of living, increase the tax base for the City of North Ridgeville, and could provide flexibility to offer both business and residential rental or short term lease options; and

**WHEREAS**, mixed use and/or multiple family dwellings could be an overall asset to the community; and

**WHEREAS**, the Administration would like to have the ability to consider mixed use and/or multiple family dwelling development projects such as Crocker Park in Westlake, Ohio.

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

**SECTION 1.** This Council hereby authorizes and directs the submission to the electors of the City of North Ridgeville at the General Election to be held at the usual places of voting in said City on Tuesday, November 6, 2018, between the hours as provided by law, of the following proposal to repeal Section 9.7

**5563-2018 (Cont'd)**

*Mandatory Referral of Rezoning to Electors of Article IX Zoning and Building Ordinances and Board of Appeals* of the Charter of the City of North Ridgeville, Ohio.

**SECTION 2.** The foregoing proposed Charter amendment, upon receiving at least a majority of the votes cast thereon at the November 6, 2018 General Election, shall become effective immediately upon its adoption.

**SECTION 3.** The ballot submitting the question of the adoption of the aforesaid amendment to the Charter shall read substantially as follows:

“PROPOSED CHARTER AMENDMENT”  
CITY OF NORTH RIDGEVILLE, OHIO  
A majority affirmative vote is necessary for passage.

Shall Section 9.7 *Mandatory Referral of Rezoning to Electors of Article IX Zoning and Building Ordinances and Board of Appeals* (as stated below) of the Charter of the City of North Ridgeville be repealed?

**Section 9.7: Mandatory Referral of Rezoning to Electors.**

No parcel or parcels of land shall be rezoned for multiple family dwellings until the total of multiple family dwelling units equal fifteen percent (15%) of all the dwelling units in the Municipality on land presently zoned for such use. In the event it is proposed to rezone one or more parcels of land to any use which would permit the erection thereon of one or more multiple family dwellings, the ordinance whereby such use is proposed shall be submitted to the Planning Commission and then to the Council for approval. In the event that the rezoning receives the approval of the Council, it shall be submitted to the electorate at the next Municipal election. Such rezoning proposal shall not become effective unless approved by a majority vote of the electors of the City and of each ward in which the property so changed is located.

**SECTION 4.** The Clerk of Council is hereby authorized and directed promptly to forward a certified copy of this Ordinance to the Board of Elections of Lorain County.

**SECTION 5.** The Board of Elections of Lorain County shall cause an appropriate notice to be duly given of the General Election to be held on November 6, 2018, on the foregoing amendment to the Charter of this City and otherwise to provide for such election in the manner provided by the general laws of the State of Ohio.

**SECTION 6.** The Clerk of Council is hereby authorized and directed to cause the full text of such proposed charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in the City of North Ridgeville, with the first publication to be made at least fifteen days prior to the General Election to be held on November 6, 2018, as provided by Article XVIII, Section 9 of the Constitution of the State of Ohio.

**5563-2018 (Cont'd)**

**SECTION 7.** There is hereby appropriated from the general fund a sufficient sum of money to pay the costs of carrying out the authorizations and directions of this Ordinance.

**SECTION 8.** 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 9.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to meet the filing deadline with the County Board of Elections. 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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**5564-2018      AN ORDINANCE CHANGING THE NAME OF A PORTION OF  
SHADY DRIVE TO WATERBURY BOULEVARD.**

**WHEREAS,** K. Hovnanian is a developer in the Waterbury subdivision and has acquired a portion of Shady Drive and desires to incorporate a portion of Shady Drive into a larger street to be named Waterbury Boulevard.

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

**SECTION 1.** K. Hovnanian Waterbury, LLC ("Hovnanian") owns the land on which is located a portion of a public street currently named Shady Drive.

**SECTION 2.** A portion of Shady Drive is hereby changed and renamed "Waterbury Boulevard" and is more particularly described as follows:

Situated in the City of North Ridgeville, County of Lorain and State of Ohio and known as being part of Original Lot No. 35 and being further bounded and described as follows:

Beginning at a point in the centerline of Sugar Ridge Road (60 feet wide) at its intersection with the northerly extension of the easterly line of Shady Drive (30 feet wide);

Thence South 10°18'00" East, along the Easterly line of said Shady Drive and the Westerly line of a parcel of land conveyed to Michael H. Smith and Rhonda E. King, Parcel No. 07-00-035-103-035, Instrument No. 1998-0566449 as recorded in the Lorain County Records and the Westerly line of a parcel of land conveyed to Steven E. Caldwell and Anastacia R. Caldwell, Parcel No. 07-00-035-103-036, Instrument No. 2016-0589497 as recorded In the Lorain County Records, a distance of 647.60 feet to a point;

**5564-2018 (Cont'd)**

Thence South 33°15'22" East, continuing along the Easterly line of said Shady Drive and the Westerly line of said Steven E. Caldwell and Anastacia R. Caldwell lands, a distance of 7.88 feet to a point;

Thence North 87°55'34" West, along the Southerly line of said Shady Drive and the Northerly line of a parcel of land conveyed to K Hovnanian Waterbury LLC, Parcel No. 07-00-035-102-128, Instrument No. 2012-0435354 as recorded In the Lorain County Records, a distance of 33.86 feet to a point;

Thence North 10°18'00" West, along the Westerly line of said Shady Drive and the Easterly line of said K Hovnanian Waterbury LLC lands and the Easterly line of a parcel of land also conveyed to K Hovnanian Waterbury LLC, Parcel No. 07-00-035-102-024, Instrument No. 2012-0435354 as recorded In the Lorain County Records, a distance of 642.44 feet extended northerly to the centerline of said Sugar Ridge Road;

Thence North 69°56'00" East, along the centerline of said Sugar Ridge Road, a distance of 30.44 feet to the Place of Beginning of the Right-Of-Way Area herein described and containing 0.446 acres of land, be the same more or less, but subject to all legal highways and easements of record;

The Basis of bearing is the East line of Shady Drive, South 10°18'00" East, per Instrument No. 2007-0202005 as recorded in the Lorain County Records.

**SECTION 3.** That the Engineer is hereby authorized to prepare and submit necessary data required to effect the change of name to the Engineer, Auditor and Recorder of Lorain County, Ohio.

**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 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 held in meetings open to the public in accordance with all legal requirements, including §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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**5565-2018      AN ORDINANCE AMENDING ORDINANCE NO. 3907-2003, WHICH  
CREATED THE POSITION OF SAFETY COORDINATOR AND SET  
THE COMPENSATION THEREFORE.**

**WHEREAS**, Ordinance No. 3907-2003 created the position of Safety Coordinator and set the compensation therefore; and

**WHEREAS**, the Fire Chief has assumed the job duties of the Safety Coordinator.

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



**5565-2018 (Cont'd)**

**SECTION 1.** Ordinance No. 3907-2003, Section 1, which created the position of Safety Coordinator, is amended to read as follows:

The position of Safety Coordinator is hereby created. The Fire Chief shall assume the duties of the Safety Coordinator.

**SECTION 2.** Ordinance No. 3907-2003, Section 3, which set the compensation for this position, shall be deleted.

**SECTION 3.** All other sections, terms and provisions of Ordinance No. 3907-2003 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

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

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**5566-2018      AN ORDINANCE ADOPTING AND APPROVING THE TAX BUDGET OF THE CITY OF NORTH RIDGEVILLE, OHIO FOR THE YEAR BEGINNING JANUARY 1, 2019 AND SUBMITTING SAME TO THE LORAIN COUNTY AUDITOR AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Auditor has compiled a tax budget for the City of North Ridgeville, Ohio for the year beginning January 1, 2019 attached hereto as **Exhibit "A"**.

**WHEREAS**, said budget has been made conveniently available for public inspection for at least ten (10) days and being on file in the office of the Auditor.

**WHEREAS**, City Council held a public hearing on said budget of which public notice was given by publication.

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

**SECTION 1.** The tax budget of the City of North Ridgeville, Ohio for the year beginning January 1, 2019, compiled by the Auditor and submitted to Council; copies of which have been and are on file in

**5566-2018 (Cont'd)**

the office of the Auditor, is hereby accepted and approved as the tax budget of the City of North Ridgeville, Ohio for the year beginning January 1, 2019.

**SECTION 2.** The Auditor is hereby authorized and directed to send a copy of said budget and Ordinance to the Auditor of Lorain County, Ohio.

**SECTION 3.** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to meet filing deadline. 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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**RESOLUTIONS**

**None**

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**CITY COUNCIL MEETING DATES FOR 2018**

January 2, 2018	January 16, 2018	February 5, 2018
February 20, 2018	March 5, 2018	March 19, 2018
April 2, 2018	April 16, 2018	May 7, 2018
May 21, 2018	June 4, 2018	June 18, 2018
July 2, 2018	July 16, 2018	August 6, 2018
August 20, 2018	September 4, 2018	September 17, 2018
October 1, 2018	October 15, 2018	November 5, 2018
November 19, 2018	December 3, 2018	December 17, 2018

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