



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.

ORDINANCE(S)

5553-2018 AN ORDINANCE AMENDING ORDINANCE NO. 5542-2018 WHICH AUTHORIZED THE SALE OF VEHICLES NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 5542-2018 was adopted on May 7, 2018 and authorized the sale of vehicles that no longer serve a municipal purpose; and

WHEREAS, a few of the vehicles listed on Ordinance No. 5542-2018 were sold at a prior auction, therefore the list of vehicles needs to be amended.

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

SECTION 1. The list of vehicles in Section 1 of Ordinance No. 5542-2018 is hereby amended as follows:

<u>Year</u>	<u>Make</u>	<u>Model</u>	<u>Vehicle ID No.</u>	<u>Mileage</u>
2011	Ford	Crown Vic	2FABP7BV2BX181814	105,000
2011	Ford	Crown Vic	2FABP7BV9BX181812	113,217
1995	Ford	dump	LN8000 1FDYK82E0SVA39869	124,690
2007	Ford	Taurus	1FAFP53U77A170335	84,000
2007	Ford	Taurus	1FAFP53U57A170334	56,256
2007	Ford	Taurus	1FAFP53U37A170333	79,501

SECTION 2. All other sections, terms and provisions of Ordinance No. 5542-2018 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

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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 §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 send the cars to auction 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.

5554-2018 AN ORDINANCE AMENDING THE AMOUNT OF ORDINANCE NO. 5373-2016, WHICH APPROVED PAYMENT TO THE LORAIN COUNTY ENGINEER FOR THE CITY'S SHARE OF THE CONSTRUCTION COST FOR THE LEAR NAGLE ROAD WIDENING PROJECT AND OTHER APPURTENANCES, BY INCREASING THE AMOUNT FROM \$2,908,853.10 TO \$2,954,095.31 AND DECLARING AN EMERGENCY.

WHEREAS, Lear Nagle Road required reconstruction and widening throughout its length between Center Ridge Road and Lorain Road; and

WHEREAS, the Lear Nagle Road widening project, also known as PID No. 16319, LOR-CR610 Lear Nagle Road, includes widening Lear Nagle Road from Center Ridge Road to Lorain Road to three lanes, right-of-way acquisition, pavement reconstruction, sidewalks, turning lanes, curb and gutters, a closed drainage system and traffic control improvements; and

WHEREAS, the City is party to an agreement with the Lorain County Engineer for services related to the Lear Nagle Road widening project, under the terms of which the City is obligated to reimburse the County for expenses incurred in the furtherance of the project; and

WHEREAS, Terrace Construction Company was awarded the contract for construction of this project by the Lorain County Engineer; and

WHEREAS, Greenman-Pedersen, Inc. was awarded the contract for construction, engineering and inspection for this project by the Lorain County Engineer; and

WHEREAS, the City's share, including contingencies of the total construction and construction engineering cost, was estimated to be \$2,908,853.10; and

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WHEREAS, unexpected additional costs amounting to \$45,242.21 have been incurred by the contractor during the construction of this project which are in excess of the amount of the original Ordinance.

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

SECTION 1. Ordinance No. 5373-2016 is hereby amended by increasing the amount from \$2,908,853.10 to \$2,954,095.31.

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 timely pay the Lorain County Treasurer for work already completed. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5555-2018 AN ORDINANCE AUTHORIZING THE ADMINISTRATION TO CREATE A SMALL CELL DESIGN GUIDELINE MANUAL WHICH WILL BE REFERRED TO AND INCORPORATED INTO THE UPCOMING SMALL CELL LEGISLATION AND DECLARING AN EMERGENCY.

WHEREAS, several federally licensed cell phone providers had legislation passed providing them the authority to use existing right-of-ways for installation of small cell equipment in anticipation of a soon to be implemented 5G network; and

WHEREAS, as a result to challenges to that legislation, the Legislature is enacting H.B. 478 (effective August 4, 2018) which will provide guidelines for municipalities and the ability to manage the right-of-way usage by these companies; and

WHEREAS, the Administration is currently developing an Ordinance which enables the City to manage and effectuate the protections and powers as forth in H.B. 478 and Ohio Revised Code Chapter 4939; and

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

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Ohio Revised Code Chapter 4939 which will be referred to and incorporated into the small cell Ordinance.

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

SECTION 1. 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.

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 in order to meet the August 4th deadline. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5556-2018 AN ORDINANCE REQUIRING SUMP PUMPS IN NEW RESIDENTIAL CONSTRUCTION TO BE TIED INTO AN EXISTING STORM SEWER SYSTEM WITH A MANDATORY OVERFLOW DEVICE.

WHEREAS, currently there is no mandatory requirement for new residential construction to tie a sump pump connection to an existing storm sewer system; and

WHEREAS, although the City can require such action, a uniform rule applied throughout the City would be beneficial to both the residents and the builders when developing new residential construction; and

WHEREAS, the City has determined that an overflow device needs to be a necessary requirement for all underground residential connections.

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

SECTION 1. All new residential construction with a sump pump must include a connection to an existing storm sewer system, where available.

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SECTION 2. If said sump pump connection is directly connected to a storm sewer system, it must include an overflow device at the exterior of the residence so as not to back up water in the interior of the residence.

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.

**5557-2018 AN ORDINANCE REPEALING ORDINANCE NOS. 3685-2001 AND 2762-93,
WHICH ESTABLISHED THE COMPENSATION FOR THE FAIR HOUSING
BOARD EXECUTIVE SECRETARY.**

WHEREAS, Ordinance No. 3685-2001 amended the compensation set by Ordinance No. 2762-93, which established the compensation for the Executive Secretary of the Fair Housing Board; and

WHEREAS, as part of the City Treasurer job position, he/she serves as the City Fair Housing Officer and is responsible for performing this function as part of his job duties.

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

SECTION 1. Ordinance No. 3685-2001 and Ordinance No. 2762-93 are hereby repealed.

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.

5558-2018 AN ORDINANCE AMENDING ORDINANCE NO. 1587-80 AND N.R.C.O. SECTION 1228.06, *POST-TYPE STREET LIGHTING INSTALLATIONS.*

WHEREAS, Ordinance No. 1587-80 was passed on March 18, 1980 and regulated street lighting for new subdivisions;

WHEREAS, N.R.C.O. Section 1228.06(a) currently reads as follows:

All developers of future subdivisions which are approved after the passage of Ordinance 1587-80, passed March 18, 1980, from which this section is derived, are hereby required to install post-type street lighting twelve feet above the ground, utilizing 100 watt, high-pressure sodium luminaire lighting to Ohio Edison Company specifications.

WHEREAS, the particular type of lighting referred to in the above section has become dated and as a result, Ordinance No. 1587-80(a) and N.R.C.O. Section 1228.06(a) need to be amended in order to replace the usage of 100 watt, high-pressure sodium luminaire lighting with utility LED lighting.

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

SECTION 1. Ordinance No. 1587-80(a) and N.R.C.O. Section 1228.06(a) shall be amended to read as follows:

All developers of future subdivisions which are approved after the passage of this amending ordinance are hereby required to install post-type street lighting twelve feet above the ground, utilizing utility LED lighting per the Ohio Edison Company's electrical specifications.

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.

RESOLUTIONS

1430-2018 A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE ELECTORS OF THE CITY THE QUESTION OF ISSUING BONDS FOR THE PURPOSE OF IMPROVING CITY-OWNED PROPERTY NEAR SOUTH CENTRAL PARK AND THE CITY'S ADMINISTRATIVE COMPLEX BY CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING AN OUTDOOR FAMILY AQUATIC CENTER WITH A POOL HOUSE, ACTIVITY, LAP AND PLUNGE POOLS, A LAZY RIVER, DECK, GRASS AND SHADE AREAS, AN ACCESS DRIVE AND WALKWAYS AND A PARKING AREA AND DECLARING AN EMERGENCY.

WHEREAS, on June 4, 2018, this Council adopted Resolution No. 1427-2018 declaring the necessity of submitting to the electors of this City at an election to be held in the City on November 6, 2018, the question of issuing bonds in the aggregate principal amount of \$5,000,000 for the purpose set forth in Section 1 (the Bonds) and levying a tax to provide for the payment of debt charges on the Bonds and any anticipatory securities, a copy of which resolution was certified to the Lorain County Auditor; and

WHEREAS, on June 21, 2018, the Lorain County Auditor certified to this Council that the total current tax valuation of the City is \$816,031,180 and the estimated average annual property tax levy required throughout the stated maturity of the Bonds to pay the principal of and interest on the Bonds (debt charges), calculated in the manner provided in Section 133.18(C) of the Ohio Revised Code, is 0.45 mill for each \$1.00 of tax valuation, which amounts to 4.5 cents for each \$100 of tax valuation.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of North Ridgeville, Lorain County, Ohio, that:

SECTION 1. This Council determines to proceed with submitting to the electors of the City pursuant to Section 133.18 of the Ohio Revised Code, at an election to be held on November 6, 2018, the question of issuing the Bonds in the aggregate principal amount of \$5,000,000 for the purpose of improving City-owned property near South Central Park and the City's Administrative Complex by constructing, furnishing, equipping and otherwise improving an outdoor family aquatic center with a pool house, activity, lap and plunge pools, a lazy river, deck, grass and shade areas, an access drive and walkways and a parking area, and levying a tax to pay the debt charges on the Bonds and on any notes issued in anticipation of the Bonds. The average annual property tax levy required throughout the stated maturity of the Bonds to pay the debt charges on the Bonds has been estimated by the Lorain County Auditor to be 0.45 mill for each \$1.00 of tax valuation, which amounts to 4.5 cents for each \$100 of tax valuation, and this Council estimates that the tax for debt charges on the Bonds and any anticipatory securities will first be levied in tax year 2018 and first due and collected in calendar year 2019.

SECTION 2. The Clerk of Council is directed to certify to the Lorain County Board of Elections before the close of business on Wednesday, August 8, 2018: (i) a copy of Resolution No. 1427-2018 declaring the necessity of the bond issue and providing for the principal of the Bonds to be paid over a maximum of twenty years, which number of years is certified to the Board of Elections; (ii) the certifications of the Lorain County Auditor as to the City's total current tax valuation and the estimated average annual property tax levy; and (iii) a copy of this Resolution. This Council requests that the Board of Elections give notice of the election and prepare the necessary ballots and supplies for the election in accordance with law.

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SECTION 3. This Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public in compliance with the law.

SECTION 4. This Resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of this City and for the further reason that this Resolution is required to be immediately effective to enable the City to proceed timely with the filing of the materials necessary for the submission of the question of the bond issue to the electors at the election stated in Section 1; wherefore, this Resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor.

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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