



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: **09.02.2014**

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, CMC at the Clerk of Council's office, 7307 Avon Belden Road, North Ridgeville, OH 44039, (440) 353.1508.

ORDINANCES AND RESOLUTIONS

(The following Ordinances and Resolutions were passed by City Council on September 2, 2014)

1313-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO THE LORAIN COUNTY TREASURER IN THE AMOUNT OF \$83,592.00.

WHEREAS, O.R.C. § 5705.41 provides that City Council may authorize the payment of amounts due, wherein legislation shall be passed within thirty days from receipt of a certificate of the fiscal officer in accordance with O.R.C. § 5705.41 (D)(1); and

WHEREAS, the fiscal officer does certify that the expenditure was and is properly appropriated and otherwise lawful, sufficient funds were and are available or in the process of collection to the credit of the proper fund, and the funds were and are free from any previous encumbrance; and

WHEREAS, the City adopted Ordinance No. 5143-2014 on June 16, 2014, approving the City's share of the cost for the Sugar Ridge Road bridge replacement (a necessary public purpose); however, the County awarded the construction contract and the work was completed on June 2, 2014, before Ordinance No. 5143-2014 was adopted and before the Cooperation Agreement By and Between Lorain County and the City of North Ridgeville was signed and finalized on July 30, 2014, thereby necessitating this resolution.

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

SECTION 1. Council hereby authorizes payment to the Lorain County Treasurer for the following invoice:

Sugar Ridge Road Bridge #0214 \$83,592.00

SECTION 2. 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 Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

1314-2014 A RESOLUTION TO APPROVE THE EXPENDITURE OF FUNDS TO THE FRENCH CREEK BIOENERGY IN THE AMOUNT OF \$50,000.00.

WHEREAS, O.R.C. § 5705.41 provides that City Council may authorize the payment of amounts due, wherein legislation shall be passed within thirty days from receipt of a certificate of the fiscal officer in accordance with O.R.C. § 5705.41 (D)(1); and

WHEREAS, the fiscal officer does certify that the expenditure was and is properly appropriated and otherwise lawful, sufficient funds were and are available or in the process of collection to the credit of the proper fund, and the funds were and are free from any previous encumbrance; and

WHEREAS, French Creek Bioenergy provided electrical energy to the French Creek Wastewater Treatment Plant from mid 2012 to June 23, 2014, and serves a necessary public purpose.

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

SECTION 1. Council hereby authorizes payment to French Creek Bioenergy for the following invoice:

Invoice No. ELECTBBG-000019 \$50,000.00

SECTION 2. 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 Section 121.22 of the Ohio Revised Code.

SECTION 3. This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

5165-2014 AN ORDINANCE AUTHORIZING THE MAYOR TO NEGOTIATE 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 2.5 MEGA WATT DIESEL GENERATOR, AND A CONTRACT FOR INSTALLATION AND ANY OTHER APPURTENANCES FOR UPGRADING THE BACKUP GENERATOR AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$1,925,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, power outages during storms have caused flooding of the wet well and damages to equipment at the French Creek Wastewater Treatment Plant; and

WHEREAS, the 2.5 MW backup generator will provide pumping of high influent flow and proper plant treatment; and

WHEREAS, the City has already authorized the engineering for this project in an amount not to exceed \$475,000.00.

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 negotiate and enter into a contract(s) according to law and in a manner prescribed by law with the lowest and best bidder(s), not to exceed \$1,925,000.00 for the purchase of a 2.5 MW backup generator, installation and appurtenances 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.

SECTION 2. The cost of the backup generator, installation and appurtenances shall be paid from the appropriate City fund.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Ordinance is hereby declared to be an emergency measure and the emergency being for the health, safety, and welfare of the City. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5166-2014 AN ORDINANCE APPROVING THE FINAL PLAT OF RIDGEFIELD SUBDIVISION PHASE NO. 11 FOR RECORDING PURPOSES ONLY AND DECLARING AN EMERGENCY.

WHEREAS, Bob Schmitt Homes, Inc. has submitted the final plan and plat to the Planning Commission of North Ridgeville and the Planning Commission gave final approval on the 19th day of August, 2013, for Ridgefield Subdivision Phase No. 11; and

WHEREAS, the Engineer of the City of North Ridgeville has reviewed the site plan and plat and finds them in good order and has approved them subject to full compliance with both his recommendations to Planning Commission and applicable City of North Ridgeville ordinances, and recommends to Council that this phase be approved; and

WHEREAS, this Council desires to approve the plat for recording purposes and for compliance with all North Ridgeville Codified Ordinances.

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

SECTION 1. The Council of the City of North Ridgeville does hereby approve the final plan, including the plat as submitted by Bob Schmitt Homes, Inc. for Ridgefield Subdivision Phase No. 11 for recording purposes.

SECTION 2. The City Engineer has reviewed the site plan and plat and he, together with the other necessary City officials, is authorized to approve the necessary plat and documents showing compliance with engineering requirements and applicable North Ridgeville Codified Ordinances.

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. That this Ordinance is hereby declared to be an emergency measure and the emergency being for the health, safety, and welfare of the City. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5167-2014 AN ORDINANCE APPROVING THE FINAL PLAT OF NORTH RIDGE POINTE PHASE NO. 1 FOR RECORDING PURPOSES ONLY AND DECLARING AN EMERGENCY.

WHEREAS, North Ridge Pointe LTD submitted the final plan and plat to the Planning Commission of North Ridgeville and the Planning Commission gave final approval on the 19th day of November, 2012, for North Ridge Pointe, No. 1; and

WHEREAS, the Engineer of the City of North Ridgeville has reviewed the site plan and plat and finds them in good order and has approved them subject to full compliance with both his recommendations to Planning Commission and applicable City of North Ridgeville ordinances, and recommends to Council that this phase be approved; and

WHEREAS, this Council desires to approve the plat for recording purposes and for compliance with all North Ridgeville Codified Ordinances.

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

SECTION 1. The Council of the City of North Ridgeville does hereby approve the final plan, including the plat as submitted by North Ridge Pointe LTD for North Ridge Pointe, No. 1 for recording purposes.

SECTION 2. The City Engineer has reviewed the site plan and plat and he, together with the other necessary City officials, is authorized to approve the necessary plat and documents showing compliance with engineering requirements and applicable North Ridgeville Codified Ordinances.

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. That this Ordinance is hereby declared to be an emergency measure and the emergency being primarily for the health, safety and welfare of the City. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

5168-2014 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS LOCATED IN THE PIONEER RIDGE PHASE 8 SUBDIVISION AT WATERBURY, AND DEDICATING THEM FOR PUBLIC PURPOSES.

WHEREAS, pursuant to N.R.C.O. Section 1228.01(b)(3), following completion of improvements, a developer shall post a maintenance bond or equivalent for a period of three years which covers all streets, sidewalks, water and/or sewer lines and rear and side-yard drainage; and

WHEREAS, pursuant to N.R.C.O. Section 1228.01(h)(4), the City Engineer shall make recommendations to City Council and for final acceptance of the improvement if the Engineer's inspection finds the work to be satisfactory; and

WHEREAS, pursuant to N.R.C.O. Section 1224.05(b)(5), acceptance of any street/ improvement or utility for public use and maintenance shall be by separate action of City Council; and

WHEREAS, the requisite bond or equivalent has been posted relative to the improvements made to the named development; and

WHEREAS, the City Engineer has inspected the improvements and having found them to be acceptable, does recommend them for final acceptance by Council.

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

SECTION 1. City Council hereby accepts the following streets/improvements from Pulte Homes located in the Pioneer Ridge Phase 8 Subdivision at Waterbury, and hereby dedicates said streets/improvements for public use and maintenance, including but not limited to roadways, sidewalks, drainage and utility purposes:

- Essex Place
- Revere Drive from the east intersection with Essex Place to 213.31 feet east of this intersection

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.

REMAINING CITY COUNCIL MEETING DATES FOR 2014

September 15, 2014
November 3, 2014
December 15, 2014

October 6, 2014
November 17, 2014

October 20, 2014
December 1, 2014

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