



CITY OF NORTH RIDGEVILLE LEGISLATIVE BULLETIN

Publication date: 09.21.2015

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

ORDINANCE(S)

(The following Ordinance(s) were passed by City Council on September 21, 2015)

5275-2015 AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF NORTH RIDGEVILLE, OHIO TO ENTER INTO A CONTRACT WITH ANDRITZ-SEPARATION, INC. FOR THE REPAIR OF CENTRIFUGE #1 AT THE FRENCH CREEK WASTEWATER TREATMENT PLANT, NOT TO EXCEED \$129,029.00 AND DECLARING AN EMERGENCY.

WHEREAS, centrifuge #1 at the French Creek Wastewater Treatment Plant is a specialized piece of equipment manufactured by Andritz-Separation, Inc. and is in need of repairs; and

WHEREAS, Andritz-Separation, Inc. is the sole provider of all replacement parts and accessories needed to repair the centrifuge, and only their uniquely trained personnel are qualified to perform the repairs; and

WHEREAS, because Andritz-Separation, Inc. does not operate with local distributor networks and because the repair and maintenance services required as well as requisite replacement parts are not widely available on the open market, the statutory procedure of advertising and receiving bids for the repair contract is not feasible, and is thus deemed necessary pursuant to the Charter of the City of North Ridgeville and the general laws of the State.

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 Andritz-Separation, Inc. for the repair of centrifuge #1 at the French Creek Wastewater Treatment Plant, not to exceed \$129,029.00.

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SECTION 2. Formal advertising and bidding shall not be required due to the fact that Andritz-Separation, Inc. is the manufacturer of and sole provider of all replacement parts, accessories and specially trained personnel required to repair the centrifuge.

SECTION 3. The cost of said repairs shall be charged to and paid from the appropriate fund.

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 get the necessary repairs completed and unit back up in running in a timely manner. WHEREFORE, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

**5276-2015 AN ORDINANCE ADOPTING THE NATIONAL ELECTRICAL CODE IN
N.R.C.O. CHAPTER 1426.**

WHEREAS, Ordinance 3990-2004 repealed the National Electrical Code in its entirety and the Council and the Administration desire to re-adopt the National Electrical Code for specific applications.

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

SECTION 1. The latest edition of the National Electrical Code is hereby adopted for the City of North Ridgeville for matters or applications not covered by the Ohio Building Code or the Residential Code of Ohio. In instances in which the Ohio Building Code or the Residential Code of Ohio specifically reference provisions of earlier versions of the National Electrical Code, those provision shall be controlling.

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

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

5277-2015 AN ORDINANCE AMENDING N.R.C.O. CHAPTER 242.05: SERVICE DEPARTMENT AND DEFINING THE GROUNDS MAINTENANCE SUPERVISOR POSITION.

WHEREAS, the position created and/or modified by Ordinance numbers 3340-98, 3708-2001, 3709-2001 and 4011-2004 has been subject to changes over the years which require clarification; and

WHEREAS, this Ordinance endeavors to unify and establish the parameters of the position under one title.

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

SECTION 1. N.R.C.O. Chapter 242.05(b)(1) *Division of Public Grounds and Cemeteries*, is hereby amended to be titled the Grounds Maintenance Department. The Supervisor of this department shall be called the Grounds Maintenance Supervisor.

SECTION 2. This position shall be in the unclassified Civil Service.

SECTION 3. This position shall be assigned a salary as determined by the North Ridgeville City Council and as defined by separate legislation.

SECTION 4. This position shall have a job description and duties as defined by the City Administration and is subject to amendment as deemed necessary by the City Administration.

SECTION 5. This Ordinance shall supersede and amend any legislation in conflict with the provisions herein, including but not limited to Ordinance numbers 3340-98, 3708-2001, 3709-2001 and 4011-2004.

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 §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.

5278-2015 AN ORDINANCE AMENDING ORDINANCE NUMBERS 3268-97 AND 3710-2001, PARKS AND RECREATION MAINTENANCE SUPERVISOR AND DEFINING THE ASSISTANT GROUNDS MAINTENANCE SUPERVISOR POSITION.

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WHEREAS, during the growth and expansion of the municipality and the requisite service requirements, the position created and/or modified by Ordinance numbers 3268-97 and 3710-2001 has been inconsistently defined and referenced historically and thus requires clarification; and

WHEREAS, this Ordinance endeavors to unify and define the position in context of the Grounds Maintenance Department.

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

SECTION 1. North Ridgeville Ordinance numbers 3268-97 and 3710-2001 are hereby amended to retitle the position created/modified therein to “Assistant Grounds Maintenance Supervisor.”

SECTION 2. The Assistant Grounds Maintenance Supervisor shall report to the Grounds Maintenance Supervisor.

SECTION 3. This position shall be in the unclassified civil service.

SECTION 4. This position shall be assigned a salary as determined by the North Ridgeville City Council and as defined by separate legislation.

SECTION 5. This position shall have a job description and duties as defined by the City Administration and is subject to amendment as deemed necessary by the City Administration.

SECTION 6. This Ordinance shall supersede and amend any legislation in conflict with the provisions herein, including, but not limited to Ordinance numbers 3268-97 and 3710-2001.

SECTION 7. 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 8. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

**5279-2015 AN ORDINANCE AMENDING ORDINANCE NUMBER 2725-93 AND
SUBSEQUENT AMENDMENTS THERETO, UP TO AND INCLUDING THE
MOST RECENT AMENDMENT, BY CHANGING AND/OR ESTABLISHING
THE PAY RATE SCALE OF THE FULL-TIME POSITION OF ASSISTANT
GROUNDS MAINTENANCE SUPERVISOR.**

WHEREAS, City Council and the Administration desire to amend Ordinance number 2725-93, which provides wage rates for the City of North Ridgeville, and subsequent amendments thereto up to and including the most recent amendment by changing/establishing the pay rate scale of the full-time position of the Assistance Grounds Maintenance Supervisor and by changing the designation in the Ordinance of

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the name of the positions for Grounds Maintenance Supervisor and Assistant Grounds Maintenance Supervisor.

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

SECTION 1. Ordinance number 2725-93 and all subsequent amendments thereto, are hereby amended by changing the pay rate scale of the full-time position of Assistant Grounds Maintenance Supervisor as follows:

Assistant Grounds Maintenance Supervisor – A	\$44,850.00
Assistant Grounds Maintenance Supervisor – B	\$45,747.00
Assistant Grounds Maintenance Supervisor – C	\$46,661.94
Assistant Grounds Maintenance Supervisor – D	\$47,595.18
Assistant Grounds Maintenance Supervisor – E	\$48,547.08
Assistant Grounds Maintenance Supervisor – F	\$49,518.02
Assistant Grounds Maintenance Supervisor – G	\$50,508.38
Assistant Grounds Maintenance Supervisor – H	\$51,518.55
Assistant Grounds Maintenance Supervisor – I	\$52,548.92
Assistant Grounds Maintenance Supervisor – J	\$53,599.90

SECTION 2. In all other respects, Ordinance number 2725-93 and subsequent amendments thereto shall remain in full force and effect as previously passed and approved.

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.

**5280-2015 AN ORDINANCE ACCEPTING CERTAIN STREETS/IMPROVEMENTS
LOCATED IN THE PIONEER RIDGE PHASE 9 SUBDIVISION AT
WATERBURY, AND DEDICATING THEM FOR PUBLIC PURPOSES.**

WHEREAS, pursuant to N.R.C.O. §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

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WHEREAS, pursuant to N.R.C.O. §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. §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 9 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:

Ashfield Way from 181.16 feet east of the intersection of Revere Drive and Essex Place to 716.84 feet west of the intersection of Ashfield Way and Revere Drive;

Revere Drive from 131.18 feet west of its east intersection with Ashfield Way to 115.35 feet east of its east intersection with Ashfield Way;

Foxboro Drive from 142.91 feet north of the Harvard Drive and Princeton Drive intersection to 54.96 feet north of the Unionville Drive 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.

5281-2015 AN ORDINANCE REPEALING N.R.C.O. SECTION 1062.15 *BURIAL OF INDIGENTS*

WHEREAS, N.R.C.O. §1062.15 - *Burial of Indigents* adopted in 1967, addressed the unusual circumstance of the death of indigent persons within the City which reads as follows:

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1062.15 Burial of Indigents.

- (a) Assumption of Responsibility by City. It is hereby determined, after consideration, that it is the obligation of the City to provide for the burial of indigent persons whose death occurs within the City.
- (b) Authority of Mayor. Upon the determination by the Mayor that a death has occurred within the City and that the deceased was indigent and thus unable to provide for his or her burial, the Mayor is hereby authorized to provide, on behalf of the City, for the burial of such person.
- (c) Maximum Expenditure for Adults. The Mayor is hereby authorized to expend from the proper appropriated account the sum of two hundred and thirty dollars (\$230.00) for the burial of any indigent adult, which shall include, but not be limited to, the cement box, cemetery equipment, casket and other professional services necessary to complete the burial.
- (d) Children and Infants. In the event the burial of an indigent person involves children or infants, such burial shall be at lower prices, to be agreed upon between the City and the funeral director, as the case warrants.

WHEREAS, such circumstances are adequately addressed by the general laws of the State of Ohio, including Ohio Revised Code §9.15 (effective in 2007 and amended in 2013 by the Ohio General Assembly) which currently reads as follows:

9.15 Burial or cremation of body at expense of township of municipal corporation.

When the body of a dead person is found in a township or municipal corporation, and such person was not an inmate of a correctional, benevolent, or charitable institution of this state, and the body is not claimed by any person for private interment or cremation at the person's own expense, or delivered for the purpose of medical or surgical study or dissection in accordance with §1713.34 of the Revised Code, it shall be disposed of as follows:

- (A) If the person was a legal resident of the county, the proper officers of the township or municipal corporation in which the person's body was found shall cause it to be buried or cremated at the expense of the township or municipal corporation in which the person had a legal residence at the time of death.
- (B) If the person had a legal residence in any other county of the state at the time of death, the superintendent of the county home of the county in which such body was found shall cause it to be buried or cremated at the expense of the township or municipal corporation in which the person had a legal residence at the time of death.

- (C) If the person was an inmate of a correctional institution of the county or a patient or resident of a benevolent institution of the county, the person had no legal residence in the state, or the person's legal residence is unknown, the superintendent shall cause the person to be buried or cremated at the expense of the county.

Such officials shall provide, at the grave of the person or, if the person's cremated remains are buried, at the grave of the person's cremated remains, a metal, stone, or concrete marker on which the person's name and age, if known, and date of death shall be inscribed.

A political subdivision is not relieved of its duty to bury or cremate a person at its expense under this section when the body is claimed by an indigent person. As used in this section, "indigent person" means a person whose income does not exceed one hundred fifty percent of the federal poverty line, as revised annually by the United States Department of Health and Human Services in accordance with §673(2) of the "Omnibus Budget Reconciliation Act of 1981," 95 Stat. 511, 42 U.S.C. 9902, as amended, for a family size equal to the size of the person's family.

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

SECTION 1. N.R.C.O. §1062.15 - *Burial of Indigents* is 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.

CITY COUNCIL MEETING DATES FOR 2015

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