

|                |                         |                          |                         |
|----------------|-------------------------|--------------------------|-------------------------|
| DATE:          | <u>October 16, 2023</u> | 1 <sup>ST</sup> READING: | <u>October 16, 2023</u> |
| INTRODUCED BY: | <u>Mayor Corcoran</u>   | 2 <sup>ND</sup> READING: | <u>Dispensed</u>        |
| REFERRED BY:   | <u></u>                 | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 105-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                         | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                         | EFFECTIVE:               | <u>October 16, 2023</u> |

**RESOLUTION NO. 1609-2023**

**A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.**

**WHEREAS**, this Council, in accordance with the provisions of law, previously adopted a tax budget for the next succeeding calendar year commencing January 1, 2024; and

**WHEREAS**, the Budget Commission of Lorain County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council and what part thereof is without, and what part within, the ten mill tax limitation; and

**WHEREAS**, Council finds that after reviewing the determinations made by the Lorain County Budget Commission, acceptance of same would be in the best interests of the health, safety, and welfare of the citizens of North Ridgeville, Ohio.

**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, Lorain County, Ohio, hereby accepts at the amounts and rates as determined by the Budget Commission in its certification.

**SECTION 2.** There be and is hereby levied on the tax duplicate of the City of North Ridgeville the rate of each tax necessary to be levied within and without the ten mill limitation as follows in **Exhibit "A"** attached hereto and incorporated herein as reference.

**SECTION 3.** The Director of Finance is hereby directed to provide a certified copy of this Resolution to the Lorain County Auditor.

**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 is hereby declared to be an emergency measure, the emergency being in order to respond to the Lorain County Budget Commission by October 30, 2023. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



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Kevin Corcoran  
MAYOR

**EXHIBIT "A"**

Revised Code, Secs. 5705.34, - 35.

The Council of the City of NORTH RIDGEVILLE Lorain  
County, Ohio, met in Regular session on the 16th day of October,  
2023, at the office of the City of North Ridgeville

with the following members present:

- Swenk      Awig
- Toth        Jacobs
- Abens
- Winkel
- DeVries

Mayor Corcoran moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously  
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2024 ; and

WHEREAS, The Budget Commission of Lorain County, Ohio, has certified its action  
thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary  
to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax  
limitation; therefore, be it

RESOLVED, By the Council of the City of North Ridgeville  
Lorain County, Ohio, that the amounts and rates, as determined by the Budget  
Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City  
the rate of each tax necessary to be levied within and without the ten mill limitation as  
follows:

**NORTH RIDGEVILLE CITY**

| <b>SCHEDULE A</b>                                                                                                                      |                                                             |                                                                |                                                    |                       |
|----------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|----------------------------------------------------------------|----------------------------------------------------|-----------------------|
| <b>SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY AUDITOR'S ESTIMATED TAX RATES</b>   |                                                             |                                                                |                                                    |                       |
| FUND                                                                                                                                   | Amount to Be Derived from Levies Outside 10 Mill Limitation | Amount Approved by Budget Commission Inside 10 Mill Limitation | County Auditor's Estimate of Tax Rate to Be Levied |                       |
|                                                                                                                                        |                                                             |                                                                | Inside 10 Mill Limit                               | Outside 10 Mill Limit |
|                                                                                                                                        | Column II                                                   | Column IV                                                      | V                                                  | VI                    |
| General Fund                                                                                                                           |                                                             | 2,047,082                                                      | 1.700                                              |                       |
| Police Pension Fund                                                                                                                    |                                                             | 361,249                                                        | 0.300                                              |                       |
| Fireman's Fund                                                                                                                         |                                                             | 361,249                                                        | 0.300                                              |                       |
| Police                                                                                                                                 | 1,693,865                                                   |                                                                |                                                    | 1.950                 |
| Fire                                                                                                                                   | 1,650,433                                                   |                                                                |                                                    | 1.900                 |
| Road and Bridge                                                                                                                        | 1,650,433                                                   |                                                                |                                                    | 1.900                 |
| Ambulance & E.M.S.                                                                                                                     | 1,520,136                                                   |                                                                |                                                    | 1.750                 |
| Ambulance & E.M.S.                                                                                                                     | 508,844                                                     |                                                                |                                                    | 0.500                 |
| Public Library                                                                                                                         | 1,562,775                                                   |                                                                |                                                    | 1.910                 |
| Bond (\$8,200,000)                                                                                                                     | 517,792                                                     |                                                                |                                                    | 0.430                 |
| Bond (\$12,500,000)                                                                                                                    | 951,292                                                     |                                                                |                                                    | 0.790                 |
| <b>TOTAL</b>                                                                                                                           | <b>10,055,570</b>                                           | <b>2,769,580</b>                                               | <b>2.300</b>                                       | <b>11.130</b>         |
| <b>SCHEDULE B</b>                                                                                                                      |                                                             |                                                                |                                                    |                       |
| <b>LEVIES OUTSIDE 10 MILL LIMITATION, EXCLUSIVE OF DEBT LEVIES</b>                                                                     |                                                             |                                                                |                                                    |                       |
| FUND                                                                                                                                   | Maximum Rate Authorized to Be Levied                        |                                                                |                                                    |                       |
| General Fund:                                                                                                                          |                                                             |                                                                |                                                    |                       |
| Special Levy Funds:                                                                                                                    |                                                             |                                                                |                                                    |                       |
| Police Levy authorized by voters on 3/17/20 for not to exceed 5 years. Beginning 2020 Duplicate Expiring Last Collection 2025          | 1.950                                                       |                                                                |                                                    |                       |
| Road and Bridge Levy authorized by voters 3/17/20 for not to exceed 5 years. Beginning 2020 Duplicate Expiring Last Collection 2025    | 1.900                                                       |                                                                |                                                    |                       |
| Ambulance and EMS levy authorized by voters 05/07/19 for not to exceed 5 years. Beginning 2019 Duplicate Expiring Last Collection 2024 | 1.750                                                       |                                                                |                                                    |                       |
| Ambulance and EMS levy authorized by voters 05/07/19 for not to exceed 5 years. Beginning 2019 Duplicate Expiring Last Collection 2024 | 0.500                                                       |                                                                |                                                    |                       |
| Library Levy authorized by voters 05/07/19 for not to exceed 5 years. Beginning 2019 Duplicate Expiring Last Collection 2024           | 1.910                                                       |                                                                |                                                    |                       |
| Fire Levy authorized by voters 03/17/20 for not to exceed 5 years. Beginning 2020 Duplicate Expiring Last Collection 2025              | 1.900                                                       |                                                                |                                                    |                       |
|                                                                                                                                        | 9.910                                                       |                                                                |                                                    |                       |

**NORTH RIDGEVILLE CITY**

and be it further

*RESOLVED, That the Clerk of this Council be and he is hereby directed to certify a copy of this Resolution to the County Auditor of said County.*

Frank Toth seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

|       |       |     |       |    |
|-------|-------|-----|-------|----|
| _____ | _____ | yes | _____ | no |
| _____ | _____ | yes | _____ | no |
| _____ | _____ | yes | _____ | no |
| _____ | _____ | yes | _____ | no |
| _____ | _____ | yes | _____ | no |

Adopted the 16th day of October 2023

Attest:

\_\_\_\_\_  
President of Council

\_\_\_\_\_  
Clerk of Council

**NORTH RIDGEVILLE CITY**

**CERTIFICATE OF COPY  
ORIGINAL ON FILE**

The State of Ohio, **LORAIN** County, ss.

Nicholas Ciofani  
I, \_\_\_\_\_, Clerk of the Council of the City of  
**NORTH RIDGEVILLE**, within and for said County, and in whose

custody the Files and Records of said Council are required by the Laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from the original  
Resolution Number 1609-2023

now on file, that the foregoing has been compared by me with said original document, and that the same is a true and correct copy thereof.

WITNESS my signature, this 16th day of October 2023



Clerk of Council

Nicholas Ciofani

1. A copy of this Resolution must be certified to the County Auditor within the time prescribed by Sec. 5705.34 R.C., or at such later date as may be approved by the Board of Tax Appeals.

No. 1609-2023

**COUNCIL OF THE CITY OF**

**NORTH RIDGEVILLE**

**LORAIN** County, Ohio

**RESOLUTION**

ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

(City Council)

Adopted October 16, 2023



Clerk of Council

Filed \_\_\_\_\_ 2023

County Auditor

By \_\_\_\_\_ Deputy

|                |                         |                          |                         |
|----------------|-------------------------|--------------------------|-------------------------|
| DATE:          | <u>October 16, 2023</u> | 1 <sup>ST</sup> READING: | <u>October 16, 2023</u> |
| INTRODUCED BY: | <u>Mayor Corcoran</u>   | 2 <sup>ND</sup> READING: | <u>Dispensed</u>        |
| REFERRED BY:   | <u></u>                 | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 106-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                         | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                         | EFFECTIVE:               | <u>October 16, 2023</u> |

**RESOLUTION NO. 1610-2023**

**A RESOLUTION DECLARING IT NECESSARY TO RENEW AN EXISTING TAX LEVY FOR THE PURPOSE OF PROVIDING FOR AMBULANCE SERVICE AND EMERGENCY MEDICAL CARE AND TO MAINTAIN A PARAMEDIC PROGRAM AND TO EQUIP AND TO OPERATE THE SAME, AND REQUESTING THE LORAIN COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, PURSUANT TO SECTIONS 5705.03, 5705.19(U) AND 5705.191 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, at an election on May 7, 2019, the electors of the City of North Ridgeville approved a 2.25-mill tax levy for the purpose of providing for ambulance service and emergency medical care and to maintain a paramedic program and to equip and to operate the same, for a period of five years; and

**WHEREAS**, the authority to levy that 2.25-mill tax will expire with the levy on the 2023 duplicate for collection in calendar year 2024; and

**WHEREAS**, this Council finds that the amount of taxes which may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City and that it is necessary to renew the existing 2.25-mill tax in excess of that limitation for the purpose of providing for ambulance service and emergency medical care and to maintain a paramedic program and to equip and to operate the same; and

**WHEREAS**, in accordance with Section 5705.03(B)(1), the resolution of this Council as described immediately above must state all of the following, as applicable to the levy: (a) the proposed rate of the tax, expressed in mills for each one dollar of taxable value, or the dollar amount of revenue to be generated by the proposed levy; (b) the purpose of the tax; (c) whether the tax is an additional levy, a renewal or a replacement of an existing tax, a renewal or replacement of an existing tax with an increase or a decrease, a reduction or decrease of an existing tax, or extension of an existing tax to additional territory; (d) the Section of the Revised Code authorizing the submission of the question of the tax; (e) the term of years of the tax or that it is for a continuing period of time; (f) that the tax is to be levied upon the entire territory of the City; (g) the date of the election at which the

question of the tax shall appear on the ballot; (h) that the ballot measure shall be submitted to the entire territory of the City; (i) the tax year in which the tax will first be levied and the calendar year in which it will be first collected; and (j) each county in which the City has territory; and

**WHEREAS**, in accordance with Section 5705.03(B)(2), upon receipt of a certified copy of a resolution of this Council as described immediately above, the Lorain County Auditor is to certify each of the following, as applicable to the levy: (a) the total current tax valuation of the City; (b) the number of mills for each one dollar of taxable value that is required to generate a specified amount of revenue; (c) either of the following, calculated using the tax list for the current year, and if this is not determined, the estimated amount submitted by the Lorain County Auditor to the County Budget Commission: (i) if the levy is to renew, renew and increase, renew and decrease, reduce or decrease, or extend to additional territory an existing levy that is subject to reduction under Section 319.01 of the Revised Code, the levy's estimated effective rate, calculated using the rate described in Section 5705.03(B)(2)(b) or (d), expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the County Auditor's appraised value, or (ii) for all other levies, the levy's rate, described in Section 5705.03(B)(2)(b) or (d), expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the County Auditor's appraised value; (d) the dollar amount of revenue, rounded to the nearest dollar, that would be generated by a specified number of mills for each one dollar of taxable value; and (e) an estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the City remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the County Auditor to the County Budget Commission;

**NOW, THEREFORE, be it resolved by the Council of the City of North Ridgeville, County of Lorain, State of Ohio, that:**

**Section 1.** As used in this Resolution and in accordance with Section 5705.03(B)(1)(a) of the Revised Code, "mills" refers to mills for each one dollar of taxable value.

**Section 2.** This Council declares that (i) it is necessary to renew the City's existing 2.25-mill ad valorem property tax outside of the ten-mill limitation for the purpose of providing for ambulance service and emergency medical care and to maintain a paramedic program and to equip and to operate the same, (ii) as authorized by Sections 5705.19(U) and 5705.191 of the Revised Code, it intends to submit the question of that renewal levy to the electors of the entire territory of the City at an election on March 19, 2024, and (iii) the City has territory only in Lorain County. If approved, that tax will be levied upon the entire territory of the City for a period of five years, commencing in tax year 2024, for first collection in calendar year 2025.

**Section 3.** This Council requests the Lorain County Auditor to certify to it both (i) the total current tax valuation of the City and (ii) the dollar amount of revenue that would be generated by the 2.25-mill renewal levy specified in Section 1.

**Section 4.** The Clerk of Council of this City is authorized and directed to deliver promptly to the Lorain County Auditor a certified copy of this resolution.



**Section 5.** 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 such formal action were held, in meetings open to the public, in compliance with the law.

**Section 6.** This resolution is declared to be an emergency measure necessary for the immediate preservation of the public health, safety and welfare of the City, and for the further reason that this resolution must be effective immediately so that it can be timely filed with the County Auditor and additional proceedings taken in order to submit the question of the levy to the electors at an election on March 19, 2024; wherefore, this resolution shall be in full force and effect immediately upon its adoption and approval by the Mayor.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



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Kevin Corcoran  
MAYOR

|                |                         |                          |                         |
|----------------|-------------------------|--------------------------|-------------------------|
| DATE:          | <u>October 16, 2023</u> | 1 <sup>ST</sup> READING: | <u>October 16, 2023</u> |
| INTRODUCED BY: | <u>Mayor Corcoran</u>   | 2 <sup>ND</sup> READING: | <u>Dispensed</u>        |
| REFERRED BY:   | <u></u>                 | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 107-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                         | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                         | EFFECTIVE:               | <u>October 16, 2023</u> |

**RESOLUTION NO. 1611-2023**

**A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM MARK STANDEN AND MATTHEW STANDEN (PARCEL 12-WD) FOR THE PURPOSE OF CONSTRUCTING A ROUNDABOUT AT THE INTERSECTION OF STATE ROUTE 83 AND CHESTNUT RIDGE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of North Ridgeville, pursuant to contract with the Ohio Department of Transportation, has undertaken a project to construct a roundabout at the intersection of State Rte. 83 and Chestnut Ridge Road in the City of North Ridgeville; and

**WHEREAS**, pursuant to the provisions of O.R.C. Chapter 163, O.R.C. Section 719.04, it is deemed necessary for the City of North Ridgeville to appropriate various interests in real estate in order to construct the State Rte. 83 and Chestnut Ridge Road roundabout project; and

**WHEREAS**, a fee simple interest and a temporary construction easement in real estate owned by Mark Standen and Matthew Standen has been identified as necessary for the construction of the State Rte. 83 and Chestnut Ridge Road roundabout project; and

**WHEREAS**, the Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. Section 163.04, was submitted to the property owner(s) by hand delivery on July 18, 2023, receipt of which was not acknowledged in writing, but was discussed by attending a meeting on July 18, 2023.

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

**SECTION 1.** Council hereby declares the necessity and intent to appropriate a fee simple interest and a temporary easement from a portion of real estate owned by Mark Standen and Matthew Standen, being known as Permanent Parcel No. 07-00-025-103-034; the real estate being appropriated designated as Parcel 12-WD, the same being more fully described in the attached “Exhibit A” and being incorporated herein by reference.

**SECTION 2.** Council hereby declares that the purpose of said appropriation is for the construction of a roundabout located at the intersection of State Rte. 83 and Chestnut Ridge Road, a road which shall be opened to the public without charge, and as such is a “public use” as defined in O.R.C. Section 163.01(H)(2).

**SECTION 3.** The Mayor shall be and hereby is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owner(s) of the above-described real estate, said notice to be served by the Mayor or such other person as he may designate, such person to make return of service as provided by law.

**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 Section 121.22 of the Ohio Revised Code.

**SECTION 5.** This Resolution is hereby declared to be an emergency measure, the emergency being in order to move the project forward and be in compliance with the Ohio Department of Transportation’s schedule. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



---

Kevin Corcoran  
MAYOR

**EXHIBIT A**

**PARCEL 12-WD**

**LOR-83-11.19**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
"CITY OF NORTH RIDGEVILLE, A MUNICIPAL CORPORATION" LORAIN  
COUNTY, OHIO**

Situated in the State of Ohio, County of Lorain, City of North Ridgeville, being located in Original Lots 25 and 26, Township 6, Range 16, Connecticut Western Reserve, being a part of that 2.67-acre tract of land described in a deed to **Mark Standen and Matthew Standen**, of record in Instrument Number 2006-142731, all records referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, being a parcel on the left side of the existing centerline of right-of-way for State Route 83 and Chestnut Ridge Road, as delineated on the centerline plat for LOR-83-11.19, of record in Plat Book \_\_\_\_, Page \_\_\_\_, said parcel being further bounded and described as follows:

**BEGINNING** at a 3/4" iron pin with an aluminum cap found in a monument box at the intersection of the existing centerline of right-of-way for State Route 83 and the existing centerline of right-of-way for Chestnut Ridge Road, said iron pin being a southeast corner of said 2.67-acre tract, being the northeast corner of that 0.327-acre tract of land described in a deed to Philip E. Teska and Barbara J. Coughlin, of record in Instrument Number 2000-0719587, being the southwest corner of that original 1.092-acre tract of land described in a deed to Edward Joseph Karres and Gertrude H. Karres, of record in Deed Volume 506, Page 553, and said iron pin being on Chestnut Ridge Road existing centerline of right-of-way station 319+02.27;

Thence **South 50 degrees 20 minutes 32 seconds West**, along the existing centerline of right-of-way for Chestnut Ridge Road, along the southeast line of said 2.67-acre tract and along the northwest line of said 0.327-acre tract, a distance of **234.82 feet** to a MAG nail set at a southeast corner of said 2.67-acre tract, being the westernmost corner of said 0.32-acre tract, and being the northeast corner of that 0.028-acre tract of land described in a deed to Clancy W. McCool and Sandra D. McCool, of record in Instrument Number 2021-0828644, said MAG nail set being on Chestnut Ridge Road existing centerline of right-of-way station 316+67.45;

Thence **North 89 degrees 59 minutes 44 seconds West**, along the south line of said 2.67-acre tract and along the north line of said 0.028-acre tract, (passing a 3/4" iron pipe found at a distance of 48.21 feet, offline 0.94 feet north), a total distance of **88.71 feet** to an iron pin set, said iron pin set being 56.62 feet left of Chestnut Ridge Road existing centerline of right-of-way station 315+99.16;

Thence through said 2.67-acre tract along the following six (6) described courses:

1. Along the arc of a non-tangent curve to the left, said curve having a radius of **370.00 feet**, a central angle of **04 degrees 50 minutes 53 seconds**, and an arc length of **31.31 feet** to an iron pin set at a point of tangency, said curve being subtended by a long chord having a bearing of **North 26 degrees 03 minutes 09 seconds East** and a length of **31.30 feet**, said iron pin set being 69.49 feet left of Chestnut Ridge Road existing centerline of right-of-way station 316+27.69;

2. **North 23 degrees 37 minutes 43 seconds East**, a distance of **108.90 feet** to an iron pin set at a point of curvature, said iron pin set being 118.45 feet left of Chestnut Ridge Road existing centerline of right-of-way station 317+24.97;

3. Along the arc of a curve to the right, said curve having a radius of **230.00 feet**, a central angle of **28 degrees 47 minutes 37 seconds**, and an arc length of **115.59 feet** to an iron pin set at a point of tangency, said curve being subtended by a long chord having a bearing of **North 38 degrees 01 minute 31 seconds East** and a length of **114.37 feet**, said iron pin set being 142.84 feet left of Chestnut Ridge Road existing centerline of right-of-way station 318+36.71;

4. **North 52 degrees 25 minutes 20 seconds East**, a distance of **58.68 feet** to an iron pin set, said iron pin set being 95.32 feet left of State Route 83 existing centerline of right-of-way station 32+77.74;

5. **North 27 degrees 03 minutes 24 seconds East**, a distance of **92.23 feet** to an iron pin set on the north line of said Original Lot 25, being on the south line of said Original Lot 26, said iron pin set being 53.52 feet left of State Route 83 existing centerline of right-of-way station 33+59.95;

6. **North 06 degrees 48 minutes 58 seconds East**, a distance of **103.11 feet** to an iron pin set on the north line of said 2.67-acre tract, being on the south line of Home Crest Park, as record in Plat Book Volume 12, Page 6, and being on the south line of Sublot 245 of said Home Crest Park, said Sublot 245 being described in a deed to Clinton F. Wygal and Theresa A. Wygal, of record in Official Record Volume 577, Page 225, said iron pin set being 41.47 feet left of State Route 83 existing centerline of right-of-way station 34+62.35;

Thence **South 89 degrees 59 minutes 44 seconds East**, along the north line of said 2.67-acre tract, along the south line of said Sublot 245 and along the south line of said Home Crest Park, (passing a 1/2" iron pin found at a distance of 11.17 feet, offline 0.10 feet south), a total distance of **41.47 feet** to a MAG nail set on the existing centerline of right-of-way for State Route 83, being on the east line of said 2.67 acre tract, and being on the west line of said original 1.092-acre tract, said MAG nail set being on State Route 83 existing centerline of right-of-way station 34+62.43;

Thence **South 00 degrees 06 minutes 16 seconds West**, along the existing centerline of right-of-way for State Route 83, along the east line of said 2.67-acre tract and along the west line of

said original 1.092-acre tract, a distance of **288.43 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **1.122 acres** (0.334 acres located within the present road occupied, PRO.), all of which is located within Lorain County Auditor's parcel number 07-00-025-103-034.

Bearings described herein are based on North 00 degrees 06 minutes 16 seconds East for the centerline of right-of-way for State Route 83 (Avon Beldon Road) measured from Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey tied to the ODOT VRS Network.

This description was prepared under the direct supervision of Michael J. Ward, Registered Professional Surveyor No. 8808 on June 28, 2022, is based on an actual field survey performed by AmericanStructurepoint, Inc., and is true and correct to the best of his knowledge and belief.

|                |                         |                          |                         |
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| INTRODUCED BY: | <u>Mayor Corcoran</u>   | 2 <sup>ND</sup> READING: | <u>Dispensed</u>        |
| REFERRED BY:   | <u></u>                 | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 108-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                         | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                         | EFFECTIVE:               | <u>October 16, 2023</u> |

**RESOLUTION NO. 1612-2023**

**A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM EDWARD JOSEPH KARRES AND GERTRUDE H. KARRES (PARCEL 14A-WD) FOR THE PURPOSE OF CONSTRUCTING A ROUNDABOUT AT THE INTERSECTION OF STATE ROUTE 83 AND CHESTNUT RIDGE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of North Ridgeville, pursuant to contract with the Ohio Department of Transportation, has undertaken a project to construct a roundabout at the intersection of State Rte. 83 and Chestnut Ridge Road in the City of North Ridgeville; and

**WHEREAS**, pursuant to the provisions of O.R.C. Chapter 163 and O.R.C. Section 719.04, it is deemed necessary for the City of North Ridgeville to appropriate various interests in real estate in order to construct the State Rte. 83 and Chestnut Ridge Road roundabout project; and

**WHEREAS**, a portion of real estate owned by Edward Joseph Karres and Gertrude H. Karres has been identified as necessary for the construction of the State Rte. 83 and Chestnut Ridge Road roundabout project; and

**WHEREAS**, the Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. Section 163.04, was not submitted to the property owners because they are both deceased; and

**WHEREAS**, the subject property is a severed PRO remnant, located at the northeast corner of Avon Belden Rd. (SR 83) and Chestnut Ridge Rd. (a signalized intersection), more specifically described as the east side C/L of R/W for SR. 83 and the northeast side C/L of R/W for Chestnut Ridge Rd., North Ridgeville, Lorain County, OH 44039. The subject site has no address or county auditor parcel number. It is mostly improved with highway infrastructure. All of the improvements other than highway improvements are encroachments located within existing right-of-way. All of the land comprises existing PRO. The subject site is not considered to be a lot of record and is unusable except for highway easement purposes. There have been no sales of the subject property in the past 5 years; and

**WHEREAS**, the proposed take area for Parcel 14A-WD involves a total taking of PRO area, involving the 0.375-acre larger parcel area already encumbered by existing highway easements. There is no residue. Under Ohio law, when the government appropriates fee title to

land already burdened by a perpetual highway easement (PRO), then only nominal compensation (\$10.00 or less) may be awarded the property owner (3 Ohio Jury Instructions, §301.5[4]). The procedure followed by ODOT is to pay \$1.00 when the District decides to purchase the property rights remaining in an area encumbered by a highway easement. Since there is no usable property to be valued except for PRO, a comparables sales analysis is not applicable, and comparable sales were not utilized. Only nominal compensation for the PRO taken is considered.

**WHEREAS**, per Right-of-Way plans, this parcel of land is comprised of the existing right-of-way for State Route 83 with the intersection of Chestnut Ridge Road within the original parcel's boundaries. No APN available; and

**WHEREAS**, Probate cases for both Edward and Gertrude have been filed. Note, the subject property is not part of the inventory for either Edward or Gertrude. Edward and Gertrude conveyed the property, minus the road right-of-way, to Tremaco Corporation in Deed Volume 708, Page 538 prior to their deaths. Next of Kin are Edward J. Karres, Jr., Irene Gandee, L. C. Karres, Loretta Pumphrey and Julian Karres.

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

**SECTION 1.** Council hereby declares the necessity and intent to appropriate a fee simple interest and a temporary easement from a portion of real estate owned by Edward Joseph Karres and Gertrude H. Karres, being known as Permanent Parcel No. (none); the real estate being appropriated designated as Parcel 14A-WD, the same being more fully described in the attached "Exhibit A" and being incorporated herein by reference.

**SECTION 2.** Council hereby declares that the purpose of said appropriation is for the construction of the State Rte. 83 and Chestnut Ridge Road roundabout project, a road which shall be opened to the public without charge, and as such is a "public use" as defined in O.R.C. Section 163.01(H)(2).

**SECTION 3.** The Mayor shall be and hereby is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owner(s) or designees of the above-described real estate, said notice to be served by the Mayor or such other person as he may designate, such person to make return of service as provided by law.

**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 Section 121.22 of the Ohio Revised Code.

**SECTION 5.** This Resolution is hereby declared to be an emergency measure, the emergency being in order to move the project forward and be in compliance with the Ohio



Department of Transportation's schedule. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



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Kevin Corcoran  
MAYOR

**EXHIBIT A**

**PARCEL 14A-WD**

**LOR-83-11.19**

**ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE  
IN THE FOLLOWING DESCRIBED PROPERTY  
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS  
IN THE NAME AND FOR THE USE OF THE  
"CITY OF NORTH RIDGEVILLE, A MUNICIPAL CORPORATION" LORAIN  
COUNTY, OHIO**

Situated in the State of Ohio, County of Lorain, City of North Ridgeville, being located in Original Lots 23 and 24, Township 6, Range 16, Connecticut Western Reserve, being a part of that original 1.092-acre tract of land described in a deed to **Edward Joseph Karres and Gertrude H. Karres**, of record in Deed Volume 506, Page 553, all records referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, being a parcel on the right side of the existing centerline of right-of-way for State Route 83 and the left of said of the existing centerline of right-of-way for Chestnut Ridge Road, as delineated on the centerline plat for LOR-83-11.19, of record in Plat Book \_\_\_\_, Page \_\_\_\_, said parcel being further bounded and described as follows:

**BEGINNING** at a 3/4" iron pin with an aluminum cap found in a monument box at the intersection of the existing centerline of right-of-way for State Route 83 and the existing centerline of right-of-way for Chestnut Ridge Road, said iron pin being the southwest corner of said original 1.092-acre tract, being a southeast corner of that 2.67-acre tract described in a deed to Mark Standen and Matthew Standen, of record in Instrument Number 2006-0142731, being the northwest corner of that 0.713-acre tract of land described in a deed to 83 & Chestnut Pub Eatery LLC, of record in Instrument Number 2019-0713018, and said iron pin being on Chest Ridge Road existing centerline of right-of-way station 319+02.27;

Thence **North 00 degrees 06 minutes 16 seconds East**, along the existing centerline of right-of-way for State Route 83, along the west line of said original 1.092-acre tract, along the east line of said 2.67-acre tract and along the east line of Home Crest Park, as recorded in Plat Book Volume 12, Page 6, a distance of **295.66 feet** to a MAG nail set at the northwest corner of said original 1.092-acre tract, being the southwest corner of that 5.7621-acre tract of land described in a deed to The Northridge Christian Life Church, of record in Official Record Volume 1095, Page 451, said MAG nail set being on State Route 83 existing centerline of right-of-way station 34+69.66;

Thence **North 47 degrees 54 minutes 13 seconds East**, along the north line of said original 1.092-acre tract and along the south line of said 5.762- acre tract, a distance of **40.50 feet** to an iron pin set on the existing east right-of-way line for State Route 83, being at the northwest corner of that 1.00-acre tract of land described in a deed to Snappy Gas Mart Inc., of record in Instrument Number 2020-0786669, said iron pin set being 30.00 feet right of State Route 83 existing centerline of right-of-way station 34+96.87;

Thence **South 00 degrees 06 minutes 16 seconds West**, along the existing east right-of-way line for State Route 83, along the west line of said 1.00-acre tract, along the west line of that 0.094 acre tract of land described in a deed to The City of North Ridgeville, Ohio, A Municipal Corporation, of record in Deed Book Volume 1133, Page 840 and through said original 1.092 acre tract, (passing a 3/4" iron pipe found at a distance of 141.32 feet, offline 0.36 feet east), a total distance of 252.77 feet to a MAG nail set at the intersection of the existing east right-of-way line for State Route 83 and the existing north right-of-way line for Chestnut Ridge Road, being the southernmost corner of said 0.094-acre tract, said MAG nail set being 30.00 feet right of State Route 83 existing centerline of right-of-way station 32+44.09;

Thence **North 42 degrees 25 minutes 01 seconds East**, along the existing north right-of-way line for Chestnut Ridge Road, along the south line of said 0.094-acre tract, along the south line of said 1.00-acre tract and through said original 1.092-acre tract, (passing a 3/4" iron pipe found at a distance of 111.80 feet, offline 0.16 feet northwest), a total distance of **288.26 feet** to a 1" iron pipe found at the easternmost corner of said 1.00-acre tract, being on the west line of that 0.531 acre tract of land described in a deed to Dennis L. Kranes and Cynthia L. Kranes, of record in Official Record Volume 1375, Page 898, being on the east line of said original 1.092-acre tract, said iron pipe found being 25.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 322+62.56;

Thence **South 51 degrees 33 minutes 12 seconds East**, along the east line of said original 1.092 acre tract and along the west line of said 0.531-acre tract, a distance of **25.06 feet** to a MAG nail set at the easternmost corner of said original 1.092-acre tract, being the southwest corner of said 0.531-acre tract, being on the northwest line of that 1.9188-acre tract of land described in a deed to Brian W. Nowlin, of record in Instrument Number 2009-030 1395, said MAG nail set being on Chestnut Ridge existing centerline of right-of-way station 322+64.29;

Thence **South 42 degrees 25 minutes 01 seconds West**, along the existing centerline of right-of-way for Chestnut Ridge Road, along the southeast line of said original 1.092-acre tract, along the northwest line of said 1.9188-acre tract, along the northwest line of that 1.282-acre tract of land described in a deed to Richard Westover and Laura Westover, of record in Official Record Volume 220, Page 746, and along the northwest line of said 0.713-acre tract, a distance of **362.03 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **0.375 acres** (all of which is located within the present road occupied, P.R.O.).

Bearings described herein are based on North 00 degrees 06 minutes 16 seconds East for the centerline of right-of-way for State Route 83 (Avon Beldon Road), measured from Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey tied to the ODOT VRS Network.

This description was prepared under the direct supervision of Michael J. Ward, Registered

Professional Surveyor No. 8808 on June 28, 2022, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

|                |                         |                          |                         |
|----------------|-------------------------|--------------------------|-------------------------|
| DATE:          | <u>October 16, 2023</u> | 1 <sup>ST</sup> READING: | <u>October 16, 2023</u> |
| INTRODUCED BY: | <u>Mayor Corcoran</u>   | 2 <sup>ND</sup> READING: | <u>Dispensed</u>        |
| REFERRED BY:   | <u></u>                 | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 109-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                         | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                         | EFFECTIVE:               | <u>October 16, 2023</u> |

**RESOLUTION NO. 1613-2023**

**A RESOLUTION DECLARING THE NECESSITY/INTENT TO APPROPRIATE INTERESTS IN LAND FROM SNAPPY GAS MART INC. (PARCEL 14-T1 AND PARCEL 14-T2) FOR THE PURPOSE OF CONSTRUCTING A ROUNDABOUT AT THE INTERSECTION OF STATE ROUTE 83 AND CHESTNUT RIDGE ROAD IN THE CITY OF NORTH RIDGEVILLE, OHIO, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of North Ridgeville, pursuant to contract with the Ohio Department of Transportation, has undertaken a project to construct a roundabout at the intersection of State Rte. 83 and Chestnut Ridge Road in the City of North Ridgeville; and

**WHEREAS**, pursuant to the provisions of O.R.C. Chapter 163, O.R.C. Section 719.04, it is deemed necessary for the City of North Ridgeville to appropriate various interests in real estate in order to construct the State Rte. 83 and Chestnut Ridge Road roundabout project; and

**WHEREAS**, a fee simple interest and a temporary construction easement in real estate owned by Snappy Gas Mart Inc. has been identified as necessary for the construction of the State Rte. 83 and Chestnut Ridge Road roundabout project; and

**WHEREAS**, the Notice of Intent to Acquire and Good Faith Offer together with the appraisal, as required by O.R.C. Section 163.04, was submitted to the property owner(s) via its Agent Zayed Y. Zayed by certified mail on July 13, 2023, receipt of which was acknowledged on July 25, 2023.

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

**SECTION 1.** Council hereby declares the necessity and intent to appropriate a fee simple interest and a temporary easement from a portion of real estate owned by Snappy Gas Mart, Inc. being known as Permanent Parcel No. 07-00-023-101-081; the real estate being appropriated designated as Parcel 14-T1 and Parcel 14-T2, the same being more fully described in the attached “Exhibit A” and “Exhibit B” and being incorporated herein by reference.

**SECTION 2.** Council hereby declares that the purpose of said appropriation is for the construction of a roundabout located at the intersection of State Rte. 83 and Chestnut Ridge Road, a road which shall be opened to the public without charge, and as such is a “public use” as defined in O.R.C. Section 163.01(H)(2).

**SECTION 3.** The Mayor shall be and hereby is authorized and directed to cause notice of the adoption of this Resolution to be given immediately to the owner(s) of the above-described real estate, said notice to be served by the Mayor or such other person as he may designate, such person to make return of service as provided by law.

**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 Section 121.22 of the Ohio Revised Code.

**SECTION 5.** This Resolution is hereby declared to be an emergency measure, the emergency being in order to move the project forward and be in compliance with the Ohio Department of Transportation’s schedule. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



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Kevin Corcoran  
MAYOR

**EXHIBIT A**

**PARCEL 14-T1**

**LOR-83-11.19**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
PERFORM GRADING AND CONSTRUCT 2 DRIVES  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
“CITY OF NORTH RIDGEVILLE, A MUNICIPAL CORPORATION” LORAIN  
COUNTY, OHIO**

Situated in the State of Ohio, County of Lorain, City of North Ridgeville, being located in Original Lots 23 and 24, Township 6, Range 16, Connecticut Western Reserve, being a part of that 1.00-acre tract of land described in a deed to **Snappy Gas Mart Inc.**, of record in Instrument Number 2020-0786669, all records referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, being a parcel on the right side of the existing centerline of right-of-way for State Route 83, as delineated on the centerline plat for LOR-83-11.19, of record in Plat Book \_\_\_\_ Page \_\_\_\_, said parcel being further bounded and described as follows:

**BEGINNING** at a point on the existing east right-of-way line for State Route 83, being the southwest corner of said 1.00-acre tract, being the northwest corner of that 0.094-acre tract of land described in a deed to The City of North Ridgeville, Ohio, A Municipal Corporation, of record in Deed Book Volume 1133, Page 840, (reference a 3/4” iron pipe found bearing South 54 degrees 27 minutes 01 second East at a distance of 0.45 feet), said point being 30.00 feet right of State Route 83 existing centerline of right-of-way station 33+55.80;

Thence **North 00 degrees 06 minutes 16 seconds East**, along the existing east right-of-way line for State Route 83 and along the west line of said 1.00-acre tract, a distance of 141.06 feet to an iron pin set on the north line of said 1.00-acre tract, being on the south line of that 5.7621-acre tract of land described in a deed to The Northridge Christian Life Church, of record in Official Record Volume 1095, Page 451, said iron pin set being 30.00 feet right of State Route 83 existing centerline of right-of-way station 34+96.87;

Thence **North 47 degrees 54 minutes 13 seconds East**, along the north line of said 1.00 acre tract and along the south line of said 5.7621-acre tract, a distance of **6.75 feet** to a point, said point being 35.00 feet right of State Route 83 existing centerline of right-of-way station 35+01.40;

Thence **South 00 degrees 06 minutes 16 seconds West**, through said 1.00-acre tract, a distance of **147.52 feet** to a point on a south line of said 1.00-acre tract, being on the north line of said 0.094-acre tract, said point being 35.00 feet right of State Route 83 existing centerline of right-of-way station 33+53.88;

Thence **North 68 degrees 50 minutes 27 seconds West**, along a south line of said 1.00-acre tract and along the north line of said 0.094-acre tract, a distance of 5.36 feet to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **0.017 acres** (0.000 acres located within the present road occupied, P.R.O.), all of which is located within Lorain County Auditor's parcel number 07-00-023-101-081.

Bearings described herein are based on North 00 degrees 06 minutes 16 seconds East for the centerline of right-of-way for State Route 83 (Avon Beldon Road), measured from Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey tied to the ODOT VRS Network.

This description was prepared under the direct supervision of Michael J. Ward, Registered Professional Surveyor No. 8808 on June 28, 2022, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.



**EXHIBIT B**

**PARCEL 14-T2**

**LOR-83-11.19**

**TEMPORARY EASEMENT FOR THE PURPOSE OF  
PERFORMING THE WORK NECESSARY TO  
PERFORM GRADING AND CONSTRUCT A DRIVE  
FOR 12 MONTHS FROM DATE OF ENTRY BY THE  
“CITY OF NORTH RIDGEVILLE, A MUNICIPAL CORPORATION” LORAIN  
COUNTY, OHIO**

Situated in the State of Ohio, County of Lorain, City of North Ridgeville, being located in Original Lots 23 and 24, Township 6, Range 16, Connecticut Western Reserve, being a part of that 1.00-acre tract of land described in a deed to **Snappy Gas Mart Inc.**, of record in Instrument Number 2020-0786669, all records referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, being a parcel on the left side of the existing centerline of right-of-way for Chestnut Ridge Road, as delineated on the centerline plat for LOR-83-11.19, of record in Plat Book \_\_\_\_, Page \_\_\_\_, said parcel being further bounded and described as follows:

**BEGINNING** at a point on the existing north right-of-way line for Chestnut Ridge Road, being the southernmost corner of said 1.00-acre tract, being the easternmost corner of that 0.094-acre tract of land described in a deed to The City of North Ridgeville, Ohio, A Municipal Corporation, of record in Deed Book Volume 1133, Page 840, (reference a 3/4” iron pipe found bearing North 68 degrees 50 minutes 27 seconds West at a distance of 0.17 feet), said point being 25.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 320+86.16;

Thence **North 68 degrees 50 minutes 27 seconds West**, along a south line of said 1.00-acre tract and along the north line of said 0.094-acre tract, a distance of **5.37 feet** to a point, said point being 30.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 320+84.21;

Thence **North 42 degrees 25 minutes 01 second East**, through said 1.00-acre tract, a distance of **178.00 feet** to a point on the northeast line of said 1.00-acre tract, being the southwest line of that 0.531-acre tract of land described in a deed to Dennis L. Kranes and Cynthia L. Kranes, of record in Official Record Volume 1375, Page 898, said point being 30.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 322+62.21;

Thence **South 51 degrees 33 minutes 12 seconds East**, along the northeast line of said 1.00-acre tract and along the southwest line of said 0.531-acre tract, a distance of **5.01 feet** to a 1” iron pin found at the easternmost corner of said 1.00-acre tract, being on the existing north right-of-

way line for Chestnut Ridge Road, said iron pin being 25.00 feet left of Chestnut Ridge Road existing centerline of right-of-way station 322+62.56;

Thence **South 42 degrees 25 minutes 01 second West**, along the existing north right-of-way line for Chestnut Ridge Road and along the south line of said 1.00-acre tract, a distance of **176.40 feet** to the **POINT OF BEGINNING** for this description.

The above description contains a total area of **0.020 acres** (0.000 acres located within the present road occupied, P.R.O.), all of which is located within Lorain County Auditor's parcel number 07-00-023-101-081.

Bearings described herein are based on North 00 degrees 06 minutes 16 seconds East for the centerline of right-of-way for State Route 83 (Avon Beldon Road), measured from Grid North, referenced to the Ohio State Plane Coordinate System (North Zone) and the North American Datum of 1983 (2011 Adjustment), as established utilizing a GPS survey tied to the ODOT VRS Network.

This description was prepared under the direct supervision of Michael J. Ward, Registered Professional Surveyor No. 8808 on June 28, 2022, is based on an actual field survey performed by American Structurepoint, Inc., and is true and correct to the best of my knowledge and belief.

|                |                         |                          |                         |
|----------------|-------------------------|--------------------------|-------------------------|
| DATE:          | <u>October 16, 2023</u> | 1 <sup>ST</sup> READING: | <u>October 16, 2023</u> |
| INTRODUCED BY: | <u>Mayor Corcoran</u>   | 2 <sup>ND</sup> READING: | <u>Dispensed</u>        |
| REFERRED BY:   | <u></u>                 | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 110-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                         | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                         | EFFECTIVE:               | <u>October 16, 2023</u> |

**RESOLUTION NO. 1614-2023**

**A RESOLUTION ACCEPTING FUNDS AS PART OF THE  
AMERICAN RESCUE PLAN ACT FOR THE OHIO AMBULANCE  
TRANSPORTATION PROGRAM, AND DECLARING AN  
EMERGENCY.**

**WHEREAS**, the City of North Ridgeville applied for and has been approved as a recipient of the Ohio Ambulance Transportation Program funding through the Ohio Office of Budget and Management (OBM); and

**WHEREAS**, the American Rescue Plan Act ("ARPA") (Pub. L. No. 117-2), signed into law March 11, 2021, established the Coronavirus State and Local Fiscal Recovery Funds ("SLFRF"), and appropriated \$350 billion to state, local, and Tribal governments across the country to support their response to and recovery from the COVID-19 public health emergency; and

**WHEREAS**, pursuant to Section 280.10 of Amended Substitute House Bill 45 ("H.B. 45"), the 134th General Assembly of the State of Ohio appropriated \$20 million in SLFRF funds to OBM in appropriation item 042627, Ohio Ambulance Transportation; and

**WHEREAS**, pursuant to Section 280.10 of H.B. 45, appropriation item 042627, Ohio Ambulance Transportation, shall be used by OBM to administer grants to any public, not-for-profit, or private ground ambulance transport provider, who submitted claims to the Ohio Department of Medicaid during the current state fiscal year; and

**WHEREAS**, ambulance transportation providers shall use the funds to provide premium pay to eligible workers following all participation rules as provided in the subrecipient agreement; and

**WHEREAS**, the City of North Ridgeville shall use the grant award of \$20,081.95 to provide lump-sum premium payments to current Fire Department employees who provided ambulance transportation services during the experience period of January 27, 2020, through the date of the signed resolution ending the national emergency on April 10, 2023. Funds shall be fully expended no later than June 30, 2024.

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

**SECTION 1.** City Council finds that it is in the best interest of the City to accept the Ohio Ambulance Transportation Program funds, and hereby authorizes the Mayor to accept the funds.

**SECTION 2.** City Council further authorizes the Director of Finance of the City of North Ridgeville to calculate the premium payments, which shall be paid in a lump sum to eligible employees of the Fire Department as outlined in the subrecipient agreement and program guidance.

**SECTION 3.** 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 4.** This Resolution is hereby declared to be an emergency measure, the emergency being in order to disburse the funds in a timely manner. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



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Kevin Corcoran  
MAYOR

|                |                         |                          |                         |
|----------------|-------------------------|--------------------------|-------------------------|
| DATE:          | <u>October 16, 2023</u> | 1 <sup>ST</sup> READING: | <u>October 16, 2023</u> |
| INTRODUCED BY: | <u>Mayor Corcoran</u>   | 2 <sup>ND</sup> READING: | <u>Dispensed</u>        |
| REFERRED BY:   | <u></u>                 | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 112-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                         | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                         | EFFECTIVE:               | <u>October 16, 2023</u> |

**RESOLUTION NO. 1615-2023**

**A RESOLUTION APPROVING THE GLOBAL SETTLEMENT AGREEMENT WITH THE CITY OF NORTH RIDGEVILLE AND A FORMER EMPLOYEE TO RESOLVE SEVERAL CLAIMS/CHARGES MADE BY THE FORMER EMPLOYEE, AND DECLARING AN EMERGENCY.**

**WHEREAS**, on or about August 16, 2022, the City determined that it would be unreasonable to continue the employment for a firefighter who was unable to return to work months after his FMLA had been exhausted; and

**WHEREAS**, the former employee subsequently filed several claims against the City including a grievance resulting in arbitration (Case No. 2311114-01122), a state claim in common pleas court (Lorain County Common Pleas Case No. 23-CV-207828, and also a claim with the United States Equal Employment Opportunity Commission (EEOC)(Case No. 532-2023-02650); and

**WHEREAS**, as a result of the claims, the City’s insurance carrier was timely notified and provided a defense and coverage for some of the claims; and

**WHEREAS**, a mediation hearing was scheduled and a global settlement of all claims was agreed to between the Parties conditioned upon City Council approval.

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

**SECTION 1.** The City of North Ridgeville, by and through its Mayor, is hereby authorized to execute the global settlement of any and all claims by the former employee set forth in the Settlement Agreement which has been provided to Council to maintain confidentiality.

**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 4.** This Resolution is hereby declared to be an emergency measure, the emergency being in order to settle the litigations in a timely manner. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



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Kevin Corcoran  
MAYOR

|                |                        |                          |                         |
|----------------|------------------------|--------------------------|-------------------------|
| DATE:          | <u>October 2, 2023</u> | 1 <sup>ST</sup> READING: | <u>October 2, 2023</u>  |
| INTRODUCED BY: | <u>Mayor Corcoran</u>  | 2 <sup>ND</sup> READING: | <u>October 16, 2023</u> |
| REFERRED BY:   | <u></u>                | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 98-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                        | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                        | EFFECTIVE:               | <u>October 16, 2023</u> |

**RESOLUTION NO. 1616-2023**

**A RESOLUTION DECLARING IT NECESSARY TO LEVY  
A RENEWAL TAX IN EXCESS OF THE TEN-MILL  
LIMITATION FOR CURRENT EXPENSES OF THE  
LORAIN PUBLIC LIBRARY SYSTEM, INCLUDING THE  
OPERATION OF A BRANCH LIBRARY LOCATED IN  
THE CITY OF NORTH RIDGEVILLE, AND DECLARING  
AN EMERGENCY.**

(R.C. Sections 5705.03, 5705.19(D), 5705.25)  
Renewal Public Library Operating Levy

**WHEREAS**, the City of North Ridgeville, Ohio (the “City”), is currently levying a 1.91 mill, five-year levy for the purpose of providing for current expenses of the Lorain Public Library System, Lorain County, Ohio, including the operation of a branch library operated in the City (the “Library”), approved by the voters of the City on May 7, 2019, and first placed on the tax list and duplicate in 2019 for collection commencing in 2020, and final collection in 2024 (the “Existing Levy”); and

**WHEREAS**, the Board of Library Trustees of the Library wishes the City Council of the City to initiate proceedings for the submission to the electors in the entire territory of the City the question of a renewal of the Existing Levy for current expenses of the Lorain Public Library System, including the operation of a branch library located in the City; and

**WHEREAS**, the amount of taxes which may be raised within the ten-mill limitation will be insufficient to provide an adequate amount for the necessary requirements of the Library; and

**WHEREAS**, a resolution declaring the necessity of levying a renewal tax levy outside the ten-mill limitation must be passed and certified to the County Auditor of Lorain County (the “County Auditor”) in order to permit the City to consider the levy of such a renewal tax and must request that the County Auditor certify to the City the total current tax valuation of the City, the estimate of the levy’s annual collections (rounded to the nearest \$1,000) that will be produced by such renewal tax based on such total taxable value, and the amount of the renewal tax (based on the renewal tax’s “estimated effective rate” (as defined in Ohio Revised Code Section 5705.01(Q)), as required by

Ohio Revised Code Section 5705.03(B)(2)(c)(i) expressed in dollars, rounded to the nearest dollar, for each \$100,000 of the “County Auditor’s appraised value” (as defined in Ohio Revised Code Section 5705.01 (P)).

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF NORTH RIDGEVILLE, TWO-THIRDS OF ALL OF THE MEMBERS ELECTED THERETO CONCURRING, THAT:**

**SECTION 1.** It is necessary for the City to renew all of the Existing Levy, which is a tax in excess of the ten-mill limitation, for the purpose of providing for current expenses of the Lorain Public Library System, including the operation of a branch library operated in the City.

**SECTION 2.** As authorized by Ohio Revised Code Section 5705.19(D), the question of such renewal tax levy (the “Renewal Levy”) shall be submitted to all of the electors in the entire territory of the City at the election to be held on March 19, 2024. All of the territory of the City is located in Lorain County.

**SECTION 3.** The Renewal Levy shall be at a rate not exceeding 1.91 mills for each \$1 of taxable value upon the entire territory of the City for five years.

**SECTION 4.** The Renewal Levy shall include a levy on the tax list and duplicate for the 2024 tax year (commencing in 2024, first due in calendar year 2025) if a majority of the electors voting thereon vote in favor thereof.

**SECTION 5.** The Finance Director of the City is directed to promptly certify a copy of this Resolution to the County Auditor with instructions for the County Auditor to calculate and certify to the City Council the current total taxable value of the City, the estimated property tax revenue (rounded to the nearest \$1,000) that will be produced by the Renewal Levy based on such total taxable value, and the amount of the Renewal Levy (based on its estimated effective rate) expressed in dollars (rounded to the nearest dollar) for each \$100,000 of the County Auditor’s appraised value.

**SECTION 6.** 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 7.** This Resolution is hereby declared to be an emergency measure, the emergency being in order to meet the Lorain County Board of Elections deadline. Wherefore, this



Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



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Kevin Corcoran  
MAYOR

|                |                         |                          |                         |
|----------------|-------------------------|--------------------------|-------------------------|
| DATE:          | <u>October 16, 2023</u> | 1 <sup>ST</sup> READING: | <u>October 16, 2023</u> |
| INTRODUCED BY: | <u>Mayor Corcoran</u>   | 2 <sup>ND</sup> READING: | <u>Dispensed</u>        |
| REFERRED BY:   | <u></u>                 | 3 <sup>RD</sup> READING: | <u>Dispensed</u>        |
| TEMPORARY NO:  | <u>T 114-2023</u>       | ADOPTED:                 | <u>October 16, 2023</u> |
|                |                         | EMERGENCY:               | <u>October 16, 2023</u> |
|                |                         | EFFECTIVE:               | <u>October 16, 2023</u> |

**ORDINANCE NO. 6107-2023**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH MARIA M. COLON, FOR THE PURCHASE OF REAL PROPERTY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City has funds available for the purchase of an approximate 0.43-acre parcel of real property located at 7145 Avon Belden Road; and

**WHEREAS**, the real property is being purchased for municipal purposes.

**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 Maria M. Colon for the purchase of a 0.43-acres of real property located at 7145 Avon Belden Road in the amount of \$185,000.00 plus realtor commission and closing costs; said property is comprised of a single parcel that is identified in the Lorain County Records as Permanent Parcel No. 07-00-021-117-007.

**SECTION 2.** This purchase shall be consummated in such manner and on such terms as the Director of Law may approve.

**SECTION 3.** The purchase price, together with any costs and expenses incurred by the City in connection with this acquisition shall be 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 Section 121.22 of the Ohio Revised Code.

**SECTION 5.** This Ordinance is hereby declared to be an emergency measure, the emergency being in order to conclude the purchase of the property 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.

PASSED: October 16, 2023



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Jason R. Jacobs  
PRESIDENT OF COUNCIL

ATTEST :



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Nicholas Ciofani  
CLERK OF COUNCIL

APPROVED: Oct 19, 2023



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Kevin Corcoran  
MAYOR