

DATE:	<u>November 6, 2023</u>	1 ST READING:	<u>November 6, 2023</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u>Dispensed</u>
REFERRED BY:	<u></u>	3 RD READING:	<u>Dispensed</u>
TEMPORARY NO:	<u>T 116-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

ORDINANCE NO. 6108-2023

AN ORDINANCE IMPOSING A MORATORIUM ON THE GRANTING OF PERMITS AND ON THE ACCEPTANCE OF PLANNING COMMISSION APPLICATIONS FOR TRUCK TERMINALS AS LISTED IN *SECTION 1268.02 PERMITTED AND CONDITIONAL USES* OF THE NORTH RIDGEVILLE CODIFIED ORDINANCES FOR A PERIOD NOT TO EXCEED 180 DAYS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, IN ORDER TO ALLOW THE PLANNING COMMISSION AND COUNCIL TO CONSIDER POSSIBLE CHANGES TO USE REGULATIONS IN THE B-3 HIGHWAY COMMERCIAL DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, as part of the ongoing master planning effort, City officials have been undertaking a review of the permitted and conditional uses listed in the City’s various Business Districts; and

WHEREAS, certain uses may create greater potential negative impacts on surrounding properties in relation to access, traffic control, noise, aesthetics and incompatibility with adjacent residential land uses than other types of uses within the City’s Business Districts; therefore it should be carefully considered; and

WHEREAS, Planning Commission and Council require time to undertake review of the current regulations and proposed changes to the North Ridgeville Zoning Code to ensure the safe, efficient and orderly development of property within the City.

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

SECTION 1. Council hereby imposes a moratorium on the granting of permits and on the acceptance of Planning Commission applications for truck terminals as listed in Section 1268.02 *Permitted and Conditional Uses* of the Zoning Code for a period not to exceed 180 days from the effective date of this ordinance, in order to allow the Planning Commission and Council to consider possible changes to the current use regulations in the B-3 Highway Commercial District.

SECTION 2. During the period of the moratorium, no such permits shall be granted or applications accepted for such use.

SECTION 3. During the period of the moratorium, the Planning Commission and Council shall work diligently to review and recommend any changes to the existing ordinance.

SECTION 4. The moratorium shall be in effect for 180 days from the effective date of this ordinance or until changes are enacted to amend the Codified Ordinances of the City of North Ridgeville or until Council approves legislation explicitly revoking this moratorium, whichever occurs first.

SECTION 5. In all other respects, the North Ridgeville Zoning Code, as amended from time to time, shall remain in full force and effect.

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 is hereby declared to be an emergency measure, the emergency being in order to allow the Planning Commission and Council to consider possible changes to use regulations in the B-3 highway commercial district. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

DATE:	<u>November 6, 2023</u>	1 ST READING:	<u>November 6, 2023</u>
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TEMPORARY NO:	<u>T 117-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

ORDINANCE NO. 6109-2023

AN ORDINANCE AMENDING ORDINANCE 5961-2022 WHICH AUTHORIZED THE MAYOR TO ENTER INTO A CONTRACT WITH A CONSULTING ENGINEERING FIRM FOR ADDITIONAL DESIGN SERVICES FOR THE MILLS CREEK CONSERVATION AND FLOOD CONTROL PROJECT, BY INCREASING THE PRIOR APPROVED AMOUNT OF \$420,000.00 TO \$507,500.00, AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville has experienced stormwater flooding over the regional area, and in particular in the Pitts Boulevard and Gina Drive area and the Mills Creek watershed; and

WHEREAS, the City of North Ridgeville needs to have additional surveying, engineering services, utility coordination efforts and a potential bat survey added to the Mills Creek Conservation and Flood Control Project; and

WHEREAS, the City of North Ridgeville has sought out park planning services to review the existing layout for potential amenity inclusion, either with the original construction or future development of the park; and

WHEREAS, the City of North Ridgeville has received proposals for additional services from the selected consulting engineering firms for the Mills Creek Conservation and Flood Control Project in an amount not to exceed \$87,500.00.

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

SECTION 1. Ordinance 5961-2022 is hereby amended by increasing the prior approved amount from \$420,000.00 to \$507,500.00.

SECTION 2. All other sections, terms, and provisions of Ordinance No. 5961-2022 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal

action were in meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure, the emergency being in order for the project to be completed and avoid any potential delays. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
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TEMPORARY NO:	<u>T 118-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

ORDINANCE NO. 6110-2023

AN ORDINANCE AMENDING ORDINANCE 6104-2023 WHICH AUTHORIZED THE MAYOR OF THE CITY OF NORTH RIDGEVILLE TO ENTER INTO CONTRACTS WITH SIX (6) INDIVIDUAL PROPERTY OWNERS WHOSE PROPERTIES SURROUND THE INTERSECTION OF AVON BELDEN ROAD (SR 83) AND CHESTNUT RIDGE ROAD FOR THE PURCHASE OF PERMANENT AND TEMPORARY RIGHT-OF-WAY FOR THE ROUNDABOUT IMPROVEMENT, PLUS ANY ADDITIONAL COSTS ASSOCIATED WITH THE EXECUTION OF THESE CONTRACTS, AND DECLARING AN EMERGENCY.

WHEREAS, the City has already entered into an LPA Agreement with the Ohio Department of Transportation by Ordinance No. 5834-2021 for the Avon Belden Road (SR 83) and Chestnut Ridge Road Roundabout, also known as LOR-083-11.19, ODOT PID 114797; and

WHEREAS, the six (6) parcels that surround the Avon Belden Road (SR 83) and Chestnut Ridge Road intersection need to be either permanently or temporarily acquired for the construction of the roundabout; and

WHEREAS, the original contract estimated right-of-way at \$100,000.00, but actual costs developed by the ODOT approved appraisal came in at \$252,510.00; and

WHEREAS, ODOT has recently awarded the City additional safety funds totaling \$122,008.00 to be used for right-of-way costs that will be reimbursed upon contract execution of the parcels; and

WHEREAS, the City provided a counter-offer to one of the parcel owners after reviewing additional documentation provided by the property owner and the City's real estate consultant. An additional \$1,300.00 was offered amending the total acquisition cost to \$253,810.00.

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

SECTION 1: The Mayor of the City of North Ridgeville is hereby authorized to enter into contracts with the six (6) property owners for the purchase of permanent and temporary right-of-

way for the Avon Belden Road (SR 83) and Chestnut Ridge Road Roundabout, also known as LOR-083-11.19, ODOT PID 114797 in an amount not to exceed \$253,810.00.

SECTION 2: The purchase shall be consummated in such a 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, including taxes, if any, 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 obtain ownership of the property and move the project forward. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

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TEMPORARY NO:	<u>T 122-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

ORDINANCE NO. 6111-2023

AN ORDINANCE AMENDING ORDINANCE NUMBER 6031-2022 OF THE CITY OF NORTH RIDGEVILLE, OHIO, PROVIDING APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023, AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend the appropriations for certain funds and appropriate other amounts for the operations of the City of North Ridgeville, Ohio.

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

SECTION 1. To provide for current and other expenditures for the City of North Ridgeville, Ohio, for the period commencing January 1, 2023, and ending December 31, 2023, Ordinance No. 6031-2022 be and the same is hereby supplemented in the following amounts so that from and after the effective date of the Ordinance, the appropriation Ordinance shall include the following, being adjusted for the similar terms in the preceding appropriation Ordinance.

SECTION 2. There be appropriated from the respective funds listed below, the amounts as follows:

Fund Number	Fund	Personal Services	Other	Transfers and Advances	Total
General Fund					
101	General Government	53,425	87,500	30,000	170,925
Total General Fund		53,425	87,500	30,000	170,925
Special Revenue Funds					
207	Payroll Reserve	-	50,000	-	50,000
245	Police Levy	8,300	-	-	8,300
263	Paramedic Levy	60,000	-	-	60,000
265	Ambulance	-	32,400	-	32,400
275	Park & Recreation Trust	-	12,000	-	12,000
291	DUI Task Force Grant	-	-	(30,000)	(30,000)
295	Solid Waste	-	121,000	-	121,000
299	Library Levy	-	83,963	-	83,963
Total Special Revenue Funds		68,300	299,363	(30,000)	337,663
Capital Project Funds					
410	Capital Projects	-	218,500	-	218,500
434	ODNR Flood Control	-	-	(392,000)	(392,000)
Total Capital Project Funds		-	218,500	(392,000)	(173,500)
Enterprise Funds					
680	French Creek R&I	-	6,000	-	6,000
Total Enterprise Funds		-	6,000	-	6,000
Internal Service Funds					
710	Self Insurance Benefit Trust	-	50,000	-	50,000
720	Flexible Spending	-	12,000	-	12,000
730	City Garage	3,000	31,600	-	34,600
Total Internal Service Funds		3,000	93,600	-	96,600
Total All Funds		124,725	704,963	(392,000)	437,688

SECTION 3. The Director of Finance of the City of North Ridgeville is hereby authorized to draw warrants on the treasury of the City of North Ridgeville for payments on any of the foregoing appropriations, upon receiving proper certification and vouchers therefore, approved by officers authorized by law to approve the same or by an ordinance or resolution of Council to make the expenditure and provide that no warrants may be drawn or paid for salaries or wages, except to persons employed by authority of or in accordance with law or Ordinance.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were 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.

SECTION 5. This Ordinance is hereby declared to be an emergency measure, the emergency being in order to provide the Department of Finance with the resources necessary to meet its obligations. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

DATE:	<u>October 16, 2023</u>	1 ST READING:	<u>October 16, 2023</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u>November 6, 2023</u>
REFERRED BY:	<u></u>	3 RD READING:	<u>Dispensed</u>
TEMPORARY NO:	<u>T 113-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

ORDINANCE NO. 6112-2023

AN ORDINANCE AMENDING ORDINANCE NO. 6044-2023, WHICH AUTHORIZED THE MAYOR TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW WITH THE LOWEST AND BEST BIDDER FOR THE CONSTRUCTION OF A SLUDGE PROCESSING/STORAGE BUILDING FOR THE FRENCH CREEK WASTEWATER TREATMENT PLANT, BY INCREASING THE AMOUNT FROM \$900,000.00 TO \$1,300,000.00, AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance No. 6044-2023 was approved and passed by City Council on February 21, 2023, amending Ordinance No. 5838-2021 by increasing the amount for the construction of a sludge processing/storage building for the French Creek Wastewater Treatment Plant from \$250,000.00 to \$900,000.00; and

WHEREAS, after advertising for bids, the bids received were more that 10% higher than the \$900,000.00 approved by City Council; and

WHEREAS, having a processing/storage facility at the French Creek Wastewater Treatment Plant is necessary to be in compliance with the NPDES permit issued by the Ohio EPA, and also to keep from losing its sludge hauling vendor.

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

SECTION 1. Ordinance No. 6044-2023, which authorized the Mayor to advertise for bids and enter into a contract according to law and in a manner prescribed by law with the lowest and best bidder for the construction of a sludge processing/storage building for the French Creek Wastewater Treatment Plant, is hereby amended by increasing the amount from \$900,000.00 to \$1,300,000.00.

SECTION 2. All other sections, terms, and provisions of Ordinance No. 6044-2023 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council,

and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure, the emergency being in order to go back out to bid to construct a sludge processing/storage building for the safety of the public. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 7, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

DATE:	<u>October 2, 2023</u>	1 ST READING:	<u>October 2, 2023</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u>October 16, 2023</u>
REFERRED BY:	<u></u>	3 RD READING:	<u>November 6, 2023</u>
TEMPORARY NO:	<u>T 101-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>December 6, 2023</u>

ORDINANCE NO. 6113-2023

**AN ORDINANCE AMENDING N.R.C.O. CHAPTER 264
CIVIL SERVICE COMMISSION.**

WHEREAS, the North Ridgeville Civil Service Commission needs to expand its Rules and Regulations to include a Fire Department lateral hire program, and to adjust its requirements accordingly; and

WHEREAS, the City of North Ridgeville Fire Department is currently experiencing, and may experience from time to time in the future, an urgent and continuing need to attract additional good and qualified Civil Service candidates in numbers sufficient to fill all existing and anticipated vacancies with high-quality candidates; and

WHEREAS, the City of North Ridgeville, through its Charter, has reserved all home rule powers available to this municipality, and pursuant to that authority wishes to implement the use of lateral hires, also known as lateral transfers, into the City’s Civil Service structure; and

WHEREAS, the lateral hire program shall be administered by the Civil Service Commission in keeping with the dictates of the North Ridgeville City Charter at Section 10.4; and

WHEREAS, the basis for appointment to any Civil Service position is, and shall continue to be, the merit and fitness of each candidate as called for by the North Ridgeville City Charter at Section 10.4.

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

SECTION 1. The heading of N.R.C.O. Section “264.05 *Lateral Hires*” shall be amended and replaced with the heading “264.05 *Lateral Hires, Police*”.

SECTION 2. The heading of N.R.C.O. Section “264.06 *Appropriations*” shall be replaced with the heading “264.06 *Lateral Hires, Fire*”.

SECTION 3. The following language shall be added under the heading “264.06 *Lateral Hires, Fire*”:

1. (a) Applicants must have at least three (3) years of experience as a firefighter/paramedic, or five (5) years of paid part-time experience of no less than two hundred (200) hours per year. Starting pay will reflect three (3) years of experience. All other benefits will be the same as those afforded to a starting firefighter except as otherwise limited or expanded by more specific wording in this ordinance or in any amendment to the lateral hire ordinance(s).

(b) Seniority will start at the date of hire all benefits afforded to a starting firefighter with the exception of vacation time. Lateral hires who meet the minimum standards for experience listed in (1)(a) above shall immediately be entitled to eighty (80) hours of paid vacation time. If a lateral hire exceeds the above-listed experience then the firefighter shall be entitled to the vacation benefits afforded to firefighters as listed in the current collective bargaining agreement.

(c) Applicant must possess the following training/certifications: Firefighter I & II and Ohio Paramedic Certification.

(d) Applicants shall have a twelve (12)-month probationary period.

(e) Applicants must pass or possess all other applicable and customary qualifications, including, but not limited to a background check, psychological testing, CVSA, fitness testing and drug testing.

(f) Entry level lateral hire firefighters shall receive longevity credit equal to the longevity credit each candidate possessed immediately prior to employment with the City of North Ridgeville through the lateral hire process. Adequate proof of same shall be presented with application.

2. Any additional rules and regulations necessary to fully implement a lateral hire program shall be made upon the deliberation and vote of the Civil Service Commission to appropriately integrate and allow for the use of lateral hires in the existing Civil Service framework. Additionally, the following shall apply:

(a) When utilizing lateral hiring for entry level positions, the Civil Service Commission (CSC) shall certify up to seven (7) names to the hiring authority as the certified eligibility list, if available, and up to an additional three (3) names may be reviewed by the hiring authority from the existing current certified lateral hire list, if available. More applicants may be from the certified eligibility list when there are fewer from the lateral list. The goal is to achieve a list of ten (10) names with no more than three from the lateral list, if possible.

(b) Names on the lateral hire list shall remain active for one (1) year after the date of application, unless the applicant asks for the name to be removed, or unless the name is removed for another satisfactory reason.

(c) No extra credit will be afforded to lateral hires. However, applicants may utilize both the lateral hire process and the Civil Service entrance examination process simultaneously.

(d) The Civil Service Commission shall fully develop the lateral hire program and advertise for positions, develop, accept, and maintain applications, forms, and all related paperwork. It shall set a reasonable fee for the application process.

(e) The Civil Service Commission shall communicate with applicants; maintain the integrity of the process; review all applications for completeness; develop a lateral hire list for the appointing authority; and adjust the existing Civil Service Commission rules and regulations to take into account the use of a lateral hire program.

3. To the extent practicable, lateral hires will be required to follow or to approximate the same requirements as all other eligible Civil Service candidates.

4. The lateral hire program shall remain as a hiring option until and unless ended by a majority vote of Council. However, upon the request of the Fire Chief and upon deliberation and vote of the CSC, or upon the deliberation and vote of the CSC alone, the lateral hiring option may be by-passed and is not required to be used with every hiring cycle.

SECTION 6. N.R.C.O. Section “264.06 Appropriations” that was replaced in Section 2 above, will now be known as N.R.C.O. Section “264.07 Appropriations”.


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 Section 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.

PASSED: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST : 

Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

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		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

RESOLUTION NO. 1617-2023

A RESOLUTION TO PROCEED WITH ELECTION ON THE QUESTION OF 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.

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

WHEREAS, on October 2, 2023, the City Council of the City of North Ridgeville, Ohio (the “City”), passed a resolution declaring the necessity to renew for five years all of a tax in excess of the ten-mill limitation in the amount of 1.91 mills for each \$1 of taxable value, for the purpose of current expenses of the Lorain Public Library System (the “Library”), including the operation of a branch library located in the City (the “Renewal Levy”); and

WHEREAS, the County Auditor of Lorain County, Ohio (the “County Auditor”), has certified to the City Council that the dollar amount of revenue that would be generated by the Renewal Levy during the first year of collection is \$ 1,563,000, based on the current total taxable value of the City of \$1,204,166,080; and

WHEREAS, the County Auditor has also certified to the City Council that the amount of the Renewal Levy (based on the Renewal Levy’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)), is \$44 (the “Estimated Cost”).

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

SECTION 1. The City shall proceed with the submission of the question of the Renewal Levy to all of the electors of the City at the rate of 1.91 mills for each \$1 of taxable value for five years, for the purpose of current expenses of the Lorain Public Library System, including the operation of a branch library located in the City, which the County Auditor has certified at the Estimated Cost for each \$100,000 of the County Auditor’s appraised value.

SECTION 2. As authorized by Ohio Revised Code Section 5705.19(D), the question of 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 (the “Election Date”). All the territory of the City is in Lorain County.

SECTION 3. Such renewal tax levy shall be at a rate not exceeding 1.91 mills for each one dollar of valuation, for each \$1 of taxable value upon the entire territory of the City, for five years.

SECTION 4. Such renewal levy shall be placed upon the tax list and duplicate for the 2024 tax year, beginning in 2024, first due in calendar year 2025, if a majority of the electors voting thereon vote in favor thereof.

SECTION 5. The form of the ballot to be used at said election shall be substantially as follows:

A renewal of a tax for the benefit of the Lorain Public Library System for the purpose of current expenses, including the operation of a branch library located in the City North Ridgeville, that the County Auditor estimates will collect \$1,563,000 annually, at a rate not exceeding 1.91 mills for each \$1 of taxable value, which amounts to \$44 for each \$100,000 of the County Auditor’s appraised value, for five years, commencing in 2024, first due in calendar year 2025.

	FOR THE TAX LEVY
	AGAINST THE TAX LEVY

SECTION 6. This Council finds, determines and declares that the levy of the tax, if approved by the electors, is necessary to the proper furnishing and rendering of free public library services in the City and for the residents of the City.

SECTION 7. Pursuant to Section 3375.42, Ohio Revised Code, this City hereby finds and determines it to be necessary to enter into an agreement with the Library relating to the operation of the North Ridgeville Branch of the Library and to the use of the proceeds of the renewal tax levy to be voted on by the electors as contemplated in this resolution and of other funds available for the operation of the North Ridgeville Branch of the Library. That agreement shall be in substantially the same form attached hereto as **Exhibit A** (the “Agreement”).

SECTION 8. The Agreement is hereby approved in substantially the same form attached hereto as **Exhibit A**, with such changes therein as are not inconsistent with this resolution and not substantially adverse to the Council as shall be approved by the officers executing the Agreement, provided that the approval of those changes by those officers, and their character as not being substantially adverse to the Council, shall be evidenced conclusively by their execution of that Agreement.

SECTION 9. The Mayor and Finance Director of the City are hereby authorized and directed, for and in the name and on behalf of this City, to execute and deliver the Agreement in substantially the form attached hereto as **Exhibit A**.

SECTION 10. The Clerk of Council is hereby directed and shall also certify to the Board of Elections that the Renewal Levy will be levied for five years and will include a levy on the tax list and duplicate for the 2024 tax year (commencing in 2024, first due in calendar year, if approved by a majority of the electors voting thereon.


SECTION 11. It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 111.22 of the Ohio Revised Code.

SECTION 12. 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: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST : 

Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

EXHIBIT A

AGREEMENT

This Agreement dated as of _____, 2024, by and between the City of North Ridgeville, Ohio (the “City”), and the Board of Library Trustees (the “Board”) of the Lorain Public Library System.

WITNESSETH:

WHEREAS, the Board has maintained since prior to September 4, 1947, and continues to maintain a free public library, with a branch situated in the City, free and open to all of the inhabitants of the City; and

WHEREAS, the Board and the City desire to obtain and raise funds for the operation of the North Ridgeville Branch of the Lorain Public Library System, with the renewal of an existing tax levy.

NOW, THEREFORE, in consideration of the mutual promises hereinafter set forth and other good and valuable consideration, the parties hereto agree as follows:

1. The City agrees to submit, on the ballot at the March 19, 2024 election, the question of a renewal tax levy upon the entire territory of the City, at a rate not exceeding 1.91 mills for each \$1 of taxable value which amounts to \$44 for each \$100,000 of the County

Auditor's appraised value, for five years (the "Tax Levy") for the purpose of the current expenses of the Lorain Public Library, including operation of a branch library located in the City. Pursuant to Section 3375.42, Ohio Revised Code, the City further agrees that, in the event the Tax Levy is approved by the voters of the City, it will provide for the collection of the Tax Levy and disburse all proceeds of the Tax Levy to the Board. All the territory of the City is in Lorain County.

2. The Board agrees that all funds raised and paid to the Board from the collection of the Tax Levy will be expended for the operation of the North Ridgeville Branch of the Lorain Public Library.

3. The Board further agrees to provide to the City Council of the City, at least once a year during the period of the collection the Tax Levy, an itemized report as to the expenditure of the moneys derived from the Tax Levy.

4. The parties mutually agree that any equipment or materials purchased by the Board from the moneys derived from the Tax Levy shall remain the property of the Board for use in the City by the North Ridgeville Branch.

5. In the event that the Board shall consolidate with or transfer all of its assets to another public library system governed by the provisions of Chapter 3375, Ohio Revised Code, the rights and obligations under this Agreement shall inure to and become the rights and obligations of the resulting public library system for the benefit of the branch of that public library located in the City.

This Agreement has been executed by the parties hereto as of the date first specified above.

CITY OF NORTH RIDGEVILLE, OHIO

BOARD OF LIBRARY TRUSTEES
LORAIN PUBLIC LIBRARY SYSTEM

By: _____
Mayor

By: _____
Board President

By: _____
Finance Director

By: _____
Chief Fiscal Officer

CERTIFICATE

The undersigned Clerk of Council, City of North Ridgeville, Ohio, hereby certifies that the foregoing is a true copy of Resolution No. 1617-2023 duly passed by said Council on November 6, 2023. and that a true copy thereof was certified to the Board of Elections of Lorain County, Ohio, on _____.

Clerk of Council
City of North Ridgeville, Ohio

DATE:	<u>November 6, 2023</u>	1 ST READING:	<u>November 6, 2023</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u>Dispensed</u>
REFERRED BY:	<u></u>	3 RD READING:	<u>Dispensed</u>
TEMPORARY NO:	<u>T 120-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

RESOLUTION NO. 1618-2023

**A RESOLUTION AUTHORIZING FUND TRANSFERS, AND
DECLARING AN EMERGENCY.**

WHEREAS, the Council of the City of North Ridgeville, Ohio, deems it appropriate to transfer funds where necessary;

WHEREAS, the North Ridgeville Police Department is the DUI Task Force Grant administrator for Lorain County agencies; and

WHEREAS, the fund transfer will be used to make payments to Lorain County agencies participating the DUI enforcement pending grant reimbursement; and

WHEREAS, City Council deems it appropriate to transfer funds from the General Fund to the DUI Task Force Grant fund due to the reimbursement nature of the grant until such time as the City discontinues administration of the grant.

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

SECTION 1. The Director of Finance is authorized to transfer funds not to exceed the following amounts:

<u>From</u>	<u>To</u>	<u>Amount</u>
General Fund (101)	DUI Task Force Grant	30,000

SECTION 2. At such time as the City determines it shall no longer participate as the administrator of the DUI Task Force grant, monies permanently transferred from the General Fund to the DUI Task Force grant fund shall be returned to the General fund.

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the passage of this Resolution were adopted 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, and in compliance with all legal requirements, including §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 provide the Department of Finance with the resources necessary to meet its obligations. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

DATE:	<u>November 6, 2023</u>	1 ST READING:	<u>November 6, 2023</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u>Dispensed</u>
REFERRED BY:	<u></u>	3 RD READING:	<u>Dispensed</u>
TEMPORARY NO:	<u>T 121-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

RESOLUTION NO. 1619-2023

A RESOLUTION AUTHORIZING THE EXECUTION OF THEN AND NOW CERTIFICATES BY THE CITY FISCAL OFFICER AND THE PAYMENT OF AMOUNTS DUE FOR VARIOUS PURCHASE ORDERS, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code Section 5705.41(D)(1), the City may not enter into any contract or give any order involving the expenditure of money unless there is attached thereto a certificate of the City’s Fiscal Officer that the amount required to meet the obligation has been lawfully appropriated for such purpose and is in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances; and

WHEREAS, Ohio Revised Code Section 5705.41(D)(1) further provides that in such circumstances when no certificate is furnished as required and the expenditure is for \$3,000.00 or more, the City’s Council, as the City’s taxing authority, may authorize the drawing of a warrant in payment of amounts due upon such contract or order upon certification by the City’s Fiscal Officer that there was at the time of the execution of such certificate a sufficient sum appropriated for the purpose of such contract in the treasury or in the process of collection to the credit of an appropriate fund free from any previous encumbrances; and

WHEREAS, on May 16, 2022, City Council adopted Ordinance 5951-2022 deeming it to be in the best interest of the health, safety, and welfare of the City to approve the execution by the City Fiscal Officer of Then and Now Certifications, and to authorize payment of amounts due under the contracts or orders requiring the expenditure of \$3,000.00 up to \$20,000.00; and

WHEREAS, on May 16, 2022, City Council adopted Ordinance 5951-2022; City Council also deemed it necessary to review and approve the execution by the City Fiscal Officer of Then and Now Certifications and authorize payments of amounts due under contracts or order which exceeds \$20,000.00.

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

SECTION 1. City Council, pursuant to Ordinance 5951-2022 adopted May 16, 2022, hereby approves the execution of Then and Now Certificates by the Fiscal Officer and authorizes payment due and owing as shown in Exhibit A attached and incorporated herein.

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 §121.22 of the Ohio Revised Code.


SECTION 3. This Resolution is hereby declared to be an emergency measure, the emergency being in order to provide the Department of Finance with the resources necessary to meet its obligations. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

EXHIBIT A

City of North Ridgeville
Then and Now Certification Summary

	<u>Certification Date</u>	<u>Invoice Date</u>	<u>Amount</u>	<u>Purpose</u>
Lorain County	10/26/2023	10/16/2023	236,400.00	Right of Way Purchase PP 07-00-025-103-034
D2 Excavating LLC	10/19/2023	10/18/2023	80,431.92	Catch Basin Repairs
Stryker	10/19/2023	10/1/2023	22,644.00	Procure EMS Preventative Maintenance Contract

DATE:	<u>November 6, 2023</u>	1 ST READING:	<u>November 6, 2023</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u>Dispensed</u>
REFERRED BY:	<u></u>	3 RD READING:	<u>Dispensed</u>
TEMPORARY NO:	<u>T 123-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

Introduced on the floor on 11-06-2023

RESOLUTION NO. 1620-2023

A RESOLUTION SUBMITTING TO THE ELECTORS OF THE CITY OF NORTH RIDGEVILLE THE QUESTION OF RENEWING AN EXISTING 2.25-MILL TAX LEVY FOR FIVE (5) YEARS 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 THAT PURPOSE, PURSUANT TO SECTIONS 5705.19(U) AND 5705.191 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, at an election held 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 (5) 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 has determined that the renewal of that tax upon its expiration is necessary for the ambulance service and emergency medical care and to maintain a paramedic program and to equip and to operate the same in the City of North Ridgeville, Ohio; and

WHEREAS, on October 16, 2023, this Council adopted Resolution No. 1610-2023 pursuant to Section 5705.03 of the Revised Code declaring it necessary to renew an existing 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 that purpose, a copy of which Resolution was certified to the Lorain County Auditor; and

WHEREAS, in accordance with that Resolution and Section 5705.03(B) of the Revised Code, on November 6, 2023, the Lorain County Auditor certified (on DTE 140R) that (i) the property tax revenue that will be produced by the stated millage (2.25 mills), assuming the taxable value of the City remains constant throughout the life of the levy, is calculated to be \$2,029,000, (ii) the total taxable value of the City used in calculating the estimated property tax revenue is \$1,204,166,080 and (iii) the millage required for the requested levy is 2.25 mills per \$1 of taxable value, which amounts to \$57.00 for each \$100,000 of the County Auditor's appraised value;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of North Ridgeville, County of Lorain, State of Ohio, not less than two-thirds of all members of said Council elected thereto concurring, that:

Section 1. This Council finds, determines and declares that the amount of taxes which may be raised by the City of North Ridgeville within the ten-mill limitation by levies on the current tax list and duplicate will be insufficient to provide an adequate amount for the necessary requirements of this City, and that it is necessary to levy a 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, being a purpose set forth in Section 5705.19(U) of the Revised Code, and specifically that it is necessary to renew in its entirety the existing 2.25-mill tax levy approved by the voters of the City at an election on May 7, 2019, for that purpose for a period of five years.

Section 2. The question of renewing the City's existing 2.25-mill ad valorem property tax levy outside 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 for a period of five years, beginning with the tax list and duplicate for the year 2024, the proceeds of which levy first would be due and collected and made available to the City in calendar year 2025, shall be submitted under the provisions of Sections 5705.19(U) and 5705.191 of the Revised Code to the electors of the City of North Ridgeville at an election to be held therein on March 19, 2024, as authorized by law. That election shall be held at the regular places of voting in this City as established by the Board of Elections of Lorain County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law. A majority vote is required for passage of that levy.

Section 3. The Clerk of Council is hereby authorized and directed to give or cause to be given notice of that election as provided by law.

Section 4. The Clerk of Council is hereby further directed to deliver or cause to be delivered to the Lorain County Board of Elections before the close of business on Wednesday, December 20, 2023: (i) a certified copy of Resolution No. 1610-2023, adopted on October 16, 2023, (ii) a copy of the related County Auditor's certificate referred to in the fifth preamble to this resolution (and if that certificate is later replaced or reissued by the County Auditor, then the replaced or reissued version) and (iii) 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 those formal actions 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: November 6, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

DATE:	<u>October 16, 2023</u>	1 ST READING:	<u>October 16, 2023</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u>November 6, 2023</u>
REFERRED BY:	<u></u>	3 RD READING:	<u>Dispensed</u>
TEMPORARY NO:	<u>T 111-2023</u>	ADOPTED:	<u>November 6, 2023</u>
		EMERGENCY:	<u>November 6, 2023</u>
		EFFECTIVE:	<u>November 6, 2023</u>

RESOLUTION NO. 1621-2023

**A RESOLUTION AMENDING RESOLUTION NO. 1568-2022, WHICH
AMENDED A PREVIOUSLY APPROVED AND RATIFIED
APPLICATION FOR TAX INCENTIVE IN COMMUNITY
REINVESTMENT AREA NO. 14 FOR YOUNG EXPLORERS
MONTESSORI, AND DECLARING AN EMERGENCY.**

WHEREAS, the North Ridgeville City Council approved and adopted Resolution No. 1461-2019 on September 16, 2019, which approved and ratified an application for a tax incentive in Community Reinvestment Area No. 14 for the Young Explorers Montessori; and

WHEREAS, on May 16, 2022, Council amended Resolution No. 1461-2019 by adopting Resolution 1568-2022, which adjusted the construction completion date of the project; and

WHEREAS, the current owner of the property is North Ridgeville Technology Group, LLC; and

WHEREAS, while maintaining ownership of the property, North Ridgeville Technology Group, LLC, is in the process of selling the business to BrightPath Kids, which will occupy the building and continue to operate a childcare facility at this location; and

WHEREAS, the CRA Agreement needs to be amended to correct the property owner and restate the obligations of the owner in regards to the Agreement.

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

SECTION 1. The Mayor is hereby authorized to execute the Addendum to the amended CRA Tax Incentive Agreement in substantially the same form and terms as attached hereto to this Resolution and labeled **Exhibit 1**.

SECTION 2. All other sections, terms, and provisions of Resolution No. 1568-2022 not specifically modified or affected by this amending Ordinance shall remain in full force and effect.

SECTION 3. The Clerk of Council is hereby directed immediately to transmit a certified copy of this Resolution to the Lorain County Auditor and other appropriate state and local officials including without limitation the North Ridgeville City School District.

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 the immediate necessity for the property owner to continue the sale of their business. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 7, 2023



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 08, 2023



Kevin Corcoran
MAYOR

EXHIBIT 1

**ADDENDUM TO THE COMMUNITY REINVESTMENT AREA
AGREEMENT BETWEEN THE CITY OF NORTH RIDGEVILLE
AND YOUNG EXPLORERS MONTESSORI, LLC.**

THIS ADDENDUM TO THE COMMUNITY REINVESTMENT AREA AGREEMENT, (this “Addendum”) is entered into this ___ day of _____, 2023, and effective immediately by and between the City of North Ridgeville, Ohio (“North Ridgeville”), an Ohio municipal corporation, having an address of 7037 Avon Belden Road, North Ridgeville, Ohio 44039, North Ridgeville Technology Group, LLC (“Property Owner”) and Young Explorers Montessori Inc. dba Young Explorers Montessori, LLC (“Young Explorers”), both having an address of 59 East Garfield Road, Aurora, Ohio 44202, collectively known as “the Parties”.

WHEREAS, Young Explorers and North Ridgeville previously entered into a Community Reinvestment Area Agreement, as amended (the “Original Agreement”), and as modified by this Addendum (the “Agreement”), which provided tax incentives for the creation of a Young Explorers Montessori childcare facility with a primary focus on learning and social development (hereinafter referred to as “the Project”), within the boundaries of a properly designated Community Reinvestment Area in the City of North Ridgeville; and

WHEREAS, the Project site is located at 36516 and 36536 Center Ridge Road, North Ridgeville, Ohio 44039 (the “Property”), and in the North Ridgeville School District, the Lorain County Joint Vocational School District, and the Board of Education of the City of North Ridgeville who had all been notified in accordance with Section 5709.83 of the Ohio Revised Code or have otherwise agreed to the Original Agreement by separately executed contract to consent to the City’s execution of the Original Agreement; and

WHEREAS, the Property Owner’s name and address was and remains North Ridgeville Technology Group, LLC, ATTN William R. Scott, 206 Saint Andrews Lane, Aurora, Ohio 44202, and needs to be corrected in said Agreement, including as signatory to the Agreement; and

WHEREAS, an affiliate of the Property Owner desires to sell the business operated at the Property (the “Business” and such sale, the “Transaction”), but the Property Owner will retain ownership of the Property; and

WHEREAS, the Parties agree that for the Property Owner to continue to receive the benefits of the Community Reinvestment Area Agreement, the Property Owner, Young Explorers, and/or the new tenant and proposed owner of the Business, Fairlawn Advantage, Inc. c/o BrightPath Kids, with an address of 3280 Bloor Street West; Centre Tower, Suite 410; Toronto,

Ontario M8X 2X3; will continue with the day-to-day operations and agree to abide by the terms and conditions set forth in the Agreement once the Transaction is consummated; and

WHEREAS, the Parties agree that if the Property Owner, Young Explorers, and/or the new tenant and owner of the Business, Fairlawn Advantage, Inc. c/o BrightPath Kids, fails to continue with the day-to-day operations and/or comply with the terms and conditions set forth in the Agreement, the City North Ridgeville may terminate or modify the exemptions from taxation granted under this Agreement in a manner set forth in the Agreement; and

WHEREAS, if the Property Owner, Young Explorers, or the new tenant/business owner materially fails to fulfill its obligations under this Agreement, or if the City determines that the certification as to delinquent taxes required by this Agreement are false or fraudulent, the City may terminate or modify the exemptions from taxation granted under this Agreement, and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this Agreement.

NOW, THEREFORE, in consideration of the mutual covenants, promises, conditions, and terms of this Addendum, the Parties agree as follows:

1. The Property Owner's name and address on the Community Reinvestment Area Agreement is changed to: North Ridgeville Technology Group, LLC, ATTN William R. Scott, 206 Saint Andrews Lane, Aurora, Ohio 44202.
2. The Parties agree that for the Property Owner to continue to receive the benefits of the Community Reinvestment Area Agreement, the Property Owner, Young Explorers, and/or the new tenant and owner of the Business, Fairlawn Advantage, Inc. c/o BrightPath Kids, with an address of 3280 Bloor Street West; Centre Tower, Suite 410; Toronto, Ontario M8X 2X3; will continue with the day-to-day operations and will abide by and the terms and conditions set forth in the Agreement.
3. The Parties agree that if the Property Owner, Young Explorers, and/or the new owner of the Business, Fairlawn Advantage, Inc. c/o BrightPath Kids, fails to continue with the day-to-day operations and/or comply with the terms and conditions set forth in the Community Reinvestment Area Agreement, the City of North Ridgeville may terminate or modify the exemptions from taxation granted under the Agreement and in a manner set forth in the Agreement.
4. If the Property Owner, Young Explorers, and/or new tenant/business owner materially fails to fulfill its obligations under the Agreement, or if the City of North Ridgeville determines that the certification as to delinquent taxes required by the Agreement are false or fraudulent, the City of North Ridgeville may terminate or modify the exemptions from taxation granted under the Agreement, and may require the repayment of the amount of taxes that would have been payable had the property not been exempted from taxation under this Agreement.
5. For avoidance of doubt, Young Explorers (or its affiliates) may continue their existing operations at the Property and responsibilities in compliance with the Original Agreement

unless and until the Transaction formally closes, and the inclusion of the new tenant and proposed owner of the Business, Fairlawn Advantage, Inc. c/o BrightPath Kids, with an address of 3280 Bloor Street West; Centre Tower, Suite 410; Toronto, Ontario M8X 2X3 in Sections 2-4 hereof shall expressly be contingent on the Transaction closing, at which time Young Explorers shall be removed as an obligated party under Sections 2-4 hereof.

IN WITNESS WHEREOF, the City of North Ridgeville, Ohio, by its Mayor has caused this instrument to be executed this ____ day of _____, 2023, and the Property Owner by North Ridgeville Technology Group, LLC, have caused this instrument to be executed on this ____ day of _____, 2023.

CITY OF NORTH RIDGVILLE

By: _____
Mayor Kevin Corcoran

-and-

PROPERTY OWNER

NORTH RIDGEVILLE TECHNOLOGY GROUP, LLC

By: _____
William R. Scott, CEO/Owner

ACKNOWLEDGED AND AGREED TO:

FAIRLAWN ADVANTAGE, INC.

By: _____
_____, _____

APPROVED AS TO FORM:

By: _____
Brian Moriarty
Director of Law for the City of North Ridgeville