

DATE:	<u>November 21, 2022</u>	1 ST READING:	<u>November 21, 2022</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 165-2022</u>	ADOPTED:	<u>November 21, 2022</u>
		EMERGENCY:	<u>November 21, 2022</u>
		EFFECTIVE:	<u>November 21, 2022</u>

Introduced on the Floor 11/21/2022
Amended on the Floor 11/21/2022

RESOLUTION NO. 1579-2022

A RESOLUTION AUTHORIZING THE APPROPRIATION OF A PORTION OF PERMANENT PARCEL #04-000-121-03-102 WHICH IS NECESSARY FOR THE DEVELOPMENT AND CONSTRUCTION OF A TRAFFIC ROUNDABOUT AT THE INTERSECTION OF STONEY RIDGE ROAD AND MILLS ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, the City of North Ridgeville and the City of Avon have agreed to develop and construct a roundabout (the Project”) at the intersection of Stoney Ridge Road and Mills Road; and

WHEREAS, the location of the Project involves real property located in both the City of North Ridgeville and the City of Avon, and

WHEREAS, the City of North Ridgeville and the City of Avon have executed a cooperative agreement whereby the City of North Ridgeville is to act as the Lead City for the Project, which includes making any and all appropriations necessary for the construction of the Project; and

WHEREAS, the Project promotes safety and will alleviate traffic congestion for both growing cities and the general public; and

WHEREAS, the Project is for the Public Use/Good and will be a benefit to the citizens of both cities and the general public, and

WHEREAS, pursuant to the cooperative agreement, the City of North Ridgeville has already acquired several portions of land necessary for the Project; and

WHEREAS, only one portion of land remains consisting of 0.659 acres of PPN#04-000-121-03-102, with an address of 4827 Stoney Ridge Road, Avon, Ohio 44011, and fully identified in Exhibit “A” which is necessary to appropriate for the Project to begin.

WHEREAS, the City of North Ridgeville, acting pursuant to the cooperative agreement, has properly notified the property owner, provided the project’s plans for review, conducted an appraisal of said portion of land, and has made good faith attempts to purchase the portion of land.

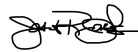
NOW THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF NORTH RIDGEVILLE, LORAIN COUNTY, OHIO:

SECTION 1. North Ridgeville City Council approves and authorizes the Mayor to take all necessary steps to appropriate 0.659 acres of 4827 Stoney Ridge Road, Avon, Ohio 44011 (PPN #04-000-121-03-102, identified in Exhibit "A", which is necessary for the Project and for the Public Use/Good.

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

SECTION 3. This Resolution is hereby declared to be an emergency measure, the emergency being in order to proceed with the eminent domain process. Wherefore, this Resolution shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 21, 2022



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 26, 2022



Kevin Corcoran
MAYOR

Exhibit A
DESCRIPTION OF A 0.659 ACRE PARCEL^{QSA}

Situated in the State of Ohio, County of Lorain, City of Avon, Original Lot 12 of Avon Township, being located in Township 7 North, Range 16 West, Connecticut Western Reserve, and being part of that 4.306 acre tract as conveyed to Sharon S. Zilka by the instrument filed as Instrument Number 2016-0589789, all documents referenced herein are on file at the Office of the Recorder for Lorain County, Ohio, unless otherwise stated, and being further bounded and described as follows:

COMMENCING at a one-inch iron pipe found in a monument box assembly at the intersection of the centerline of right-of-way of Stoney Ridge Road (FKA Lorain-Avon Road; 60' R/W - Public) with the corporation line separating the City of Avon and the City of North Ridgeville, being the southwest corner of the said 4.306 acre tract, the southeast corner of Parcel No. 2 as conveyed to John J. Mikulic, Trustee of the John J. Mikulic Trust Dated April 28, 2009 by the instrument filed as Instrument Number 2009-0293758, the northwest corner of that 1.1336 acre tract as conveyed to Judith A. Gill, Nancy K. Welter, and Beth A. Motta by the instrument filed as Instrument Number 2017-0655722, and the northeast corner of the Windsor Point Subdivision No. 3 as recorded in Plat Book Volume 86, Page 73, said iron pipe being on the north historic line of Original Lot 31 of Ridgeville Township, and the south historic line of Original Lot 12 of Avon Township, and being an angle point in the centerline line of right-of-way for the said Stoney Ridge Road, said pipe being the **TRUE POINT OF BEGINNING** for this description,

Thence **North 09 degrees 56 minutes 53 seconds East**, along the centerline of right-of-way for the said Stoney Ridge Road, the west line of the said 4.306 acre tract, the east line of the said Parcel No. 2, and the east line of Parcel No. 1 as conveyed to John J. Mikulic, Trustee of the John J. Mikulic Trust Dated April 28, 2009 by the instrument filed as Instrument Number 2009-0293758, passing the centerline of right-of-way of Mills Road (FKA Diedrick Road; 45' R/W - Public) at a distance of 7.62 feet, a total distance of 185.96 feet to a Mag nail set at an angle point in the centerline of right-of-way for said Stoney Ridge Road;

Thence **North 15 degrees 33 minutes 42 seconds East**, continuing along the centerline of right-of-way for the said Stoney Ridge Road, the west line of the said 4.306 acre tract, the east line of the said Parcel No. 1, and the east line of Parcel No. 2, a distance of 142.16 feet to a Mag nail set, said nail being the northwest corner of the said 4.306 acre tract, also being the southwest corner of that 0.8521 acre tract as conveyed to Audrey L. Morris and Dean R. Morris by the instrument filed as Instrument Number 2007-0218033;

Thence **North 89 degrees 33 minutes 42 seconds East**, along the north line of the said 4.306 acre tract, along the south line of the said 0.8521 acre tract, a distance of 31.21 feet to an iron pin set, said pin being on the easterly right-of-way line for the said Stoney Ridge Road;

Thence **South 15 degrees 33 minutes 42 seconds West**, along the easterly right-of-way line for said Stoney Ridge Road, crossing through the said 4.306 acre tract, a distance of 149.29 feet to an iron pin set at an angle point in the easterly right-of-way for said Stoney Ridge Road;

Thence **South 09 degrees 56 minutes 53 seconds West**, continuing along the easterly right-of-way line for said Stoney Ridge Road, through the said 4.306 acre tract, a distance of 21.93 feet to an iron pin set;

Thence continuing through the said 4.306 acre tract for the following seven (7) courses:

1. **South 26 degrees 50 minutes 40 seconds East**, a distance of 47.84 feet to an iron pin set;
2. **South 21 degrees 15 minutes 25 seconds East**, a distance of 10.04 feet to an iron pin set;
3. **South 29 degrees 44 minutes 55 seconds East**, a distance of 43.73 feet to an iron pin set;
4. **South 46 degrees 27 minutes 52 seconds East**, a distance of 24.01 feet to an iron pin set;

- 5. South 64 degrees 47 minutes 24 seconds East, a distance of 23.34 feet to an iron pin set;
- 6. South 76 degrees 56 minutes 22 seconds East, a distance of 10.27 feet to an iron pin set;
- 7. South 73 degrees 34 minutes 00 seconds East, a distance of 17.69 feet to an iron pin set, said pin being on the northerly right-of-way line for said Mills Road;

Thence North 89 degrees 37 minutes 17 seconds East, along the northerly right-of-way line of the said Mills Road, continuing through the said 4.306 acre tract, a distance of 296.11 feet to an iron pin set, said pin being on the east line of the said 4.306 acre tract, also being the west line of that 1.666 acre tract as conveyed to V.F.W. Post No. 7035 by the instrument filed as Deed Book 1075, Page 852;

Thence South 00 degrees 22 minutes 43 seconds East, along the east line of the said 4.306 acre tract, the west line of the said 1.666 acre tract, passing the centerline of right-of-way for said Mills Road at a distance of 22.50 feet, a total distance of 30.00 feet to a Mag nail set, said nail being the southeast corner of the said 4.306 acre tract, being the southwest corner of the said 1.666 acre tract, also being on the north line of the City of North Ridgeville, the south line of the City of Avon, the north historic line of Original Lot 31 of Ridgeville Township, and the south historic line of Original Lot 12 of Avon Township, said line also being the north line of that 1.2792 acre tract as conveyed to Frank J. Krupa and Donna M. Krupa by the instrument filed as Instrument Number 2018-0659827;

Thence South 89 degrees 37 minutes 17 seconds West, along the south line of the said 4.306 acre tract, the north line of the City of North Ridgeville, the south line of the City of Avon, the north historic line of Original Lot 31 of Ridgeville Township, the south historic line of Original Lot 12 of Avon Township, along the north line of said 1.2792 acre tract, the north line of that 0.6955 acre tract as conveyed to Timothy L. Golay by the instrument filed as Instrument Number 2021-0806709, and along the north line of the said 1.1336, a distance of 466.38 feet to the TRUE POINT OF BEGINNING for this description.

The above description contains a total of 0.659 acres, of which 0.524 acres are located within the Present Road Occupied (P.R.O.), all of which are located within Lorain County Auditor's Parcel Number 04-00-012-103-102.

Bearings described hereon are based on North 89 degrees 37 minutes 17 seconds East for the north line of Original Lot 31 of Ridgeville Township and the south line of Original Lot 12 of Avon Township, as measured between Lorain County Engineer's Office Geodetic Survey Marker 1999-97, being a 1" iron pipe in a monument box assembly, and an iron pipe in a monument box assembly at the intersection with the centerline of right-of-way of State Route 83, 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 and a NGS OPUS solution.

Where described, iron pins set are 5/8" rebar, 30" long, with cap stamped "ASI, PS-8438".

This description was prepared by Brian P. Bingham, Ohio Registered Professional Surveyor Number 8438, 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.

American Structurepoint, Inc.


 Brian P. Bingham
 Registered Professional Surveyor No. 8438



5/20/2022
 Date

DATE:	<u>November 21, 2022</u>	1 ST READING:	<u>November 21, 2022</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 162-2022</u>	ADOPTED:	<u>November 21, 2022</u>
		EMERGENCY:	<u>November 21, 2022</u>
		EFFECTIVE:	<u>November 21, 2022</u>

ORDINANCE NO. 6017-2022

AN ORDINANCE AMENDING ORDINANCE 5967-2022 AUTHORIZING 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 BARRES ROAD REALIGNMENT PROJECT AND OTHER APPURTENANCES, BY INCREASING THE NOT TO EXCEED AMOUNT TO \$275,000.00 AND DECLARING AN EMERGENCY.

WHEREAS, this project is necessary to realign Barres Road with Ravenna Drive at the entrance to North Ridge Pointe Subdivision off of Stoney Ridge Road, to meet proper standards of engineering for the health, safety, and economy for vehicles and pedestrian traffic; and

WHEREAS, the apparent low bid exceeds the previously appropriated \$250,000;

WHEREAS, additional funds in the amount of \$25,000 will be needed to cover the costs of the apparent low bid and provide a small contingency for unforeseen conditions of the project.

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

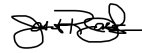
SECTION 1. Ordinance 5967-2022 is hereby amended by increasing the not to exceed amount from \$250,000.00 to \$275,000.00.

SECTION 2. The cost for said project shall be paid from the appropriate fund.

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

SECTION 4. This Ordinance is hereby declared to be an emergency measure, the emergency being in order to encumber the money before the end of the fiscal year and start the project. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 21, 2022



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 26, 2022



Kevin Corcoran
MAYOR

DATE:	<u>November 21, 2022</u>	1 ST READING:	<u>November 21, 2022</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 163-2022</u>	ADOPTED:	<u>November 21, 2022</u>
		EMERGENCY:	<u>November 21, 2022</u>
		EFFECTIVE:	<u>November 21, 2022</u>

Amended on the floor 11/21/2022

ORDINANCE NO. 6018-2022

AN ORDINANCE AMENDING ORDINANCE NUMBER 5889-2021 OF THE CITY OF NORTH RIDGEVILLE, OHIO, PROVIDING APPROPRIATIONS FOR THE PERIOD COMMENCING JANUARY 1, 2022, AND ENDING DECEMBER 31, 2022, 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:

SECTION 1. That to provide for current and other expenditures for the City of North Ridgeville, Ohio for the period commencing January 1, 2022, and ending December 31, 2022, Ordinance No. 5889-2021 be and the same are 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. That there be appropriated from the respective funds listed below, the amounts as follows:

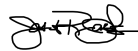
<u>Fund Number</u>	<u>Fund</u>	<u>Personal Services</u>	<u>Other</u>	<u>Transfers and Advances</u>	<u>Total</u>
	<u>General Fund</u>				
101	General Government	-	46,600		46,600
	Total General Fund	-	46,600	-	46,600
	<u>Special Revenue Funds</u>				
265	Ambulance	-	15,700	-	15,700
270	Cemetary	-	1,000	-	1,000
	Total Special Revenue Funds	-	16,700	-	16,700
	<u>Capital Project Funds</u>				
410	Capital Projects	-	25,000	-	25,000
	Total Capital Project Funds	-	25,000	-	25,000
	<u>Enterprise Funds</u>				
632	Water Improvement	-	5,000	-	5,000
	Total Enterprise Funds	-	5,000	-	5,000
	Total All Funds	-	93,300	-	93,300

SECTION 3. That the Auditor 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. That 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 Auditor's office with the necessary financial resources. Wherefore, this Ordinance shall take effect and be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: November 21, 2022



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 26, 2022



Kevin Corcoran
MAYOR

DATE: September 6, 2022
INTRODUCED BY: Mayor Corcoran
REFERRED BY: COW
TEMPORARY NO: T 136-2022

1ST READING: September 6, 2022
2ND READING: November 7, 2022 AMENDED
3RD READING: November 21, 2022
ADOPTED: November 21, 2022
EFFECTIVE: December 21, 2022

Sent to COW on 10/03/2022
Report to Council on 10/17/2022
Amended on 11/07/2022

ORDINANCE NO. 6019-2022

AN ORDINANCE AMENDING NORTH RIDGEVILLE CODIFIED ORDINANCE CHAPTER 1650 AS A RESULT OF A RECENTLY PASSED STATE LAW AND OHIO FIRE CODE CONCERNING THE DISCHARGE OF FIREWORKS.

WHEREAS, in keeping with its responsibility to protect the health, safety, and general welfare of its citizens and to include the guidelines set forth in the Ohio Fire Code, the City of North Ridgeville had enacted North Ridgeville Codified Chapter 1650 (Fireworks); and

WHEREAS, N.R.C.O. Section 1650.04(b) provides:

(b) Except as provided in Section 1650.05 and except for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 to 3743.55 and Section 1650.02, no person shall discharge, ignite or explode any fireworks in this Municipality; and

WHEREAS, recently the Governor of Ohio signed H.B. 172, which amends sections of O.R.C. Chapter 3743 (effective July 1, 2022). The new amendments allow any person authorized to possess consumer-grade fireworks to discharge, ignite or explode fireworks on their property, or if permitted, on another person's property on certain designated days of the year; and

WHEREAS, the new legislation also incorporates the recent requirements and rules adopted by the Fire Marshall set forth in Ohio Fire Code (OFC) § 1301:7-7-56 (effective July 3, 2022); and

WHEREAS, H.B. 172 also provides that pursuant to home rule authority, a city may choose to restrict the days and times or ban the discharge, ignition, or explosion of fireworks purchased under Ohio R.C. 3743.45.

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

SECTION 1. N.R.C.O. Section 1650.04(b) is hereby amended as follows:

(b) Except as provided in Section 1650.05 and except for licensed exhibitors of fireworks authorized to conduct a fireworks exhibition pursuant to Ohio R.C. 3743.50 to 3743.55 and Section 1650.02, no person shall discharge, ignite or explode any fireworks in this Municipality except from 4:00 p.m. through 11:00 p.m. on the following dates:

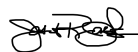
New Year's Day
Chinese New Year
Cinco de Mayo
Memorial Day weekend
Juneteenth
July 3, 4, and 5
Labor Day weekend
Diwali
New Year's Eve

SECTION 2. N.R.C.O Chapter 1650 in its entirety shall comply with the applicable rules and regulations, or any amendments/revisions thereof, adopted by the Fire Marshall and set forth in the new Ohio Fire Code (OFC) § 1301:7-7-56.

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

SECTION 4. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: November 21, 2022



Jason R. Jacobs
PRESIDENT OF COUNCIL

ATTEST :



Nicholas Ciofani
CLERK OF COUNCIL

APPROVED: Nov 26, 2022



Kevin Corcoran
MAYOR