

Jason Jacobs, At-Large/President of Council
Georgia Awig, At-Large
Martin DeVries, At-Large
Holly A. Swenk, Ward 1
Eric Shaffer, Ward 2
Bruce F. Abens, Ward 3
Clifford Winkel, Ward 4/President Pro-Tem
Kevin Corcoran, Mayor



City Council

CITY HALL COUNCIL CHAMBERS

REGULAR AGENDA OF MARCH 17, 2025

7:00 PM

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE

ROLL CALL

APPROVAL OF MINUTES

1. City Council Public Hearing Meeting Minutes dated March 3, 2025;
(Council action required)
2. Regular City Council Meeting Minutes dated March 3, 2025.
(Council action required)
3. Note:
Civil Service Meeting Minutes dated February 26, 2025;
Board of Zoning and Building Appeals dated February 27, 2025;
Planning Commission Meeting Minutes dated March 11, 2025.

LOBBY

ADMINISTRATORS' REPORTS

1. Mayor
2. Engineer
3. Director of Finance
4. Other Reports
March 2025 Water Distribution and EPA Report;

September 2024 Fire Department Report;

February 2025 Building Division Report.

COUNCIL COMMITTEE REPORTS

CORRESPONDENCE

OLD BUSINESS

NEW BUSINESS

1. The North Ridgeville Planning Commission took action on the following items at their Regular Meeting of March 11, 2025:

1. PPZ2025-0337: Victory Park, 7777 Victory Lane, PPN 07-00-003-102-106
Owner: PMJ Park Holdings, 7777 Victory Lane, North Ridgeville, OH 44039.
Proposal consists of new turf fields, lighting and other site improvements.
Property zoned I-2 Light Industrial District

PC ACTION: Approved by a vote of 3-0 with the following conditions:

1. Athletic fields must have a minimum 15-foot runout.
2. Double gates at each field for emergency access.

NOTE: The lighting plan was withdrawn.

(Council approval is required for all plans and recommendation from Planning Commission)

RECESS

FIRST READINGS

- O 2025-48 An Ordinance creating a new Chapter 1470 *Tents* of the North Ridgeville Building and Housing Code.
(Introduced by Mayor Corcoran)
- R 2025-49 A Resolution to approve the application made by Margaret E. Haputa and Grosik Katherine to have certain land owned by them designated as being located within an agricultural district.
(Introduced by Mayor Corcoran)
- O 2025-50 An Ordinance replacing Chapter 1030 *Street Trees* with new Chapter 1030 *Trees* and repealing Chapter 1032 *Master Tree Plan* of the North Ridgeville Streets, Utilities and Public Services Code.
(Introduced by Mayor Corcoran)

- O 2025-51 An Ordinance 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 2025 crack seal project and other appurtenances.
(Introduced by Mayor Corcoran)
- O 2025-52 An Ordinance 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 2025 catch basin rehabilitation project, including other appurtenances.
(Introduced by Mayor Corcoran)
- O 2025-53 An Ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to advertise for bids and negotiate contract(s) for a twelve-month period, according to law and in a manner prescribed by law, for the purchase of roadway materials to be used by the City of North Ridgeville, Ohio.
(Introduced by Mayor Corcoran)
- O 2025-54 An Ordinance authorizing the Mayor of the City of North Ridgeville to advertise for bids and negotiate a contract according to law and in a manner prescribed by law for the rental of equipment and related services for road repair and maintenance to be used by the Service Department.
(Introduced by Mayor Corcoran)
- O 2025-55 An Ordinance providing for the amendment of *Chapter 1010 Engineering Permits and Fees* in the Streets, Utilities and Public Services Code.
(Introduced by Mayor Corcoran)

SECOND READINGS

- R 2025-41 A Resolution to approve the application made by Richard Stash to have certain land owned by them designated as being located within an agricultural district.
(Introduced by Mayor Corcoran; First Reading on 03-03-2025; Public Hearing on 03-17-2025)

THIRD READINGS

- O 2025-35 An Ordinance 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 roadway resurfacing of Carolyn Drive, Luanne Drive and Monica Drive, and other appurtenances.
(Introduced by Mayor Corcoran; First Reading on 02-18-2025; Second Reading on 03-03-2025)

R 2025-37 A Resolution authorizing the Mayor to enter into a Delinquent Debt Collection Agreement with the Ohio Attorney General pursuant to R.C. 131.02 for the collection of delinquent debts owed to the City.
(Introduced by Mayor Corcoran; First Reading on 02-18-2025; Second Reading on 03-03-2025)

MEETING ANNOUNCEMENTS

1. A City Council Public Hearing is scheduled on Monday, April 7, 2025, at 6:45 p.m., in Council Chambers for an Agricultural Application.
2. The next Regular City Council meeting will be on Monday, April 7, 2025, at 7:00 p.m. in Council Chambers.

ADJOURNMENT

**NORTH RIDGEVILLE CITY COUNCIL
PUBLIC HEARING MINUTES
March 3, 2025**

CALL TO ORDER:

President Jacobs called the Monday, March 3, 2025, Public Hearing to order at 6:45 p.m.

PLEDGE OF ALLEGIANCE:

Led by President Jacobs.

ROLL CALL:

Present were Council members President Jason Jacobs, Holly A. Swenk, Eric Shaffer, Bruce Abens, Cliff Winkel, Georgia Awig, and Martin DeVries.

Mayor Kevin Corcoran, and Clerk of Council Nicholas Ciofani were also present.

This public hearing is being held to consider the following:

Pursuant to Ohio Revised Code Sections 929.01 to 929.05, a public hearing is scheduled for an application filed with the Office of the Clerk of Council for placement of farmland in an agricultural district in the City of North Ridgeville, Ohio for the following applicants:

R 2025-38 A RESOLUTION TO APPROVE THE APPLICATION MADE BY ANDREW A. RAK TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

Property Location: 5660 Otten Road

Parcel No(s): 07-00-041-000-077

Total Acres: 50

R 2025-39 A RESOLUTION TO APPROVE THE APPLICATION MADE BY WOODSIDE, CONSTANCE ANN TRUSTEE TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

Property Location: Otten Road.

Parcel No(s). 07-00-041-000-074

Total Acres: 17.02

President Jacobs asked if anyone from the public had any comments.

There was no discussion from the City Council, the Administration, or the public.

ADJOURNMENT:

President Jacobs adjourned the Public Hearing at 6:47 p.m.

Approval of minutes on March 17, 2025:

Jason R. Jacobs
PRESIDENT OF COUNCIL

Nicholas Ciofani
CLERK OF COUNCIL

**NORTH RIDGEVILLE CITY COUNCIL
REGULAR MEETING MINUTES
March 3, 2025**

CALL TO ORDER:

President Jacobs called the Council meeting on Monday, March 3, 2025, to order at 7:00 p.m.

INVOCATION:

Led by President Jacobs.

PLEDGE OF ALLEGIANCE:

Led by President Jacobs.

ROLL CALL:

Council members President Jason Jacobs, Holly Swenk, Eric Shaffer, Bruce F. Abens, Cliff Winkel, Georgia Awig and Martin DeVries were present.

Also in attendance were Mayor Kevin Corcoran, City Engineer Christina Eavenson, Finance Director April Wilkerson, Law Director Brian Moriarity, and Clerk of Council Nicholas Ciofani.

MINUTES - Corrections (if any) and approval:

President Jacobs asked if there were any corrections to the Regular City Council Meeting Minutes dated February 18, 2025. No discussion was offered. The meeting minutes stand approved as submitted.

LOBBY:

President Jacobs opened the lobby session. He reminded everyone that the lobby session was not meant to be an interactive question-and-answer session. However, it was an opportunity for the public to address the City Council and its administration. He asked anyone who would like to speak to come to the podium and state their name and address. He further added that each person was allowed three minutes to speak.

Albert Krage at 37903 Sugar Ridge Road expressed his concerns about traffic problems. He explained that the truck issue persists and believes the City is not addressing the issue. He noted that a truck came down Sugar Ridge Road, and a police officer pulled the truck over but then let the driver go without a ticket. He also mentioned that the pavement on Sugar Ridge Road is once again in poor condition. He urged the City to assign more officers to patrol the area, as the issue worsens and damages the roads.

ADMINISTRATORS REPORTS:

1. Mayor:

Mayor Corcoran remarked the following.:

- During the first readings, there is a request for emergency passage concerning several pieces of legislation: Ordinance 2025-42, Ordinance 2025-43, Resolution 2025-44, Resolution 2025-45, Resolution 2025-46, and Ordinance 2025-36.
- The City of North Ridgeville is Hiring – The City is looking to fill full-time positions for Civil Engineer I, Civil Engineer II, and Assistant Chief Building Official. Additionally, the City is seeking summer help in the Public Works Department and the North Ridgeville Parks and Recreation. Available positions include seasonal laborers, summer camp director and assistant director, summer camp counselor, concession supervisor, concession stand worker, and Parks and Recreation intern. Applications are welcome from applicants aged 15 and older. For more information on how to apply, visit the city's website at nridgeville.org.
- Coffee & Conversation - March 6, 2025, at 6:00 p.m. in Council Chambers will feature this month's session with Public Works Director Jon Montgomery joining the discussion.
- Daylight saving time begins on Sunday, March 9, 2025, when clocks are set forward.

Moved by Mayor Corcoran and seconded by Swenk to appoint Robert (Bob) Holub to the Parks and Recreation Commission.

Mayor Corcoran remarked that Mr. Holub has worked as the Parks and Recreation Director for the City of Rocky River since 2019. He has the experience and skills to assist the commission.

A roll call vote was taken, and the motion was carried.
Yes – 7 No – 0

Mayor Corcoran concluded his report.

2. Engineer:

City Engineer Christina Eavenson provided the following update.:

- ODOT has started the bidding process for replacing the bridge on Center Ridge Road, spanning the Mills Creek ditch. The construction will occur in phases, with work expected to begin in April 2025.
- The Engineering, Planning, ODOT, and Rail Commission recently met to conduct a field review and outline the project scope for the grade separation of Race Road over Norfolk Southern track. This expansive project will involve multiple facets and is anticipated to span several years for completion.

- In Spring, backflow testing for all devices in the city will commence, as these must be tested annually by a certified plumber. The results need to be submitted by June 15, 2025. The procedure has changed because the City has contracted with BSI Online, which will manage the collection of test reports and oversee the backflow records moving forward. While this service has seen much success, its cost is associated with it, which will be passed on to backflow testers and likely to property owners. BSI's fee for this service is \$15.95 per test report.

City Engineer Eavenson concluded her report.

3. Director of Finance:

April Wilkerson, the Finance Director, requested the inclusion of an emergency clause to ensure that the Finance Department has the necessary resources to meet its financial obligations for the following legislation.

- Ordinance No. 2025-40 - Amending 2025 Annual Appropriations.
- Resolution No. 2025-44 - Then and Now Certificate.
- Resolution No. 2025-45 - Authorizing Fund Transfers.
- Resolution No. 2025-46 - Authorizing Fund Transfers.

Finance Director Wilkerson concluded her report.

4. Other Reports:

There were none.

COUNCIL COMMITTEE REPORT(S):

There were none.

CORRESPONDENCE:

There were none.

OLD BUSINESS:

There were none.

NEW BUSINESS:

There were none.

RECESS:

Moved by Winkel and seconded by Awig to dispense with recess.

A voice vote was taken, and the motion was carried.

Yes – 7

No – 0

Ordinance and Resolution submittal(s)
FIRST READINGS:

Clerk of Council Nicholas Ciofani:

R 2025-40 A Resolution amending Resolution No. 2024-111 which accepted an ODOT subgrant to be used for the purchase of an expansion vehicle for the North Ridgeville Senior Center.
(Introduced by Mayor Corcoran)

Moved by Mayor Corcoran and seconded by Awig to dispense with the second and third readings for 2025-40.

Mayor Corcoran noted that the legislation is to accept a grant for the transportation at the Senior Center. The increase in cost is roughly \$2,000.00.

A voice vote was taken, and the motion carried.
Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Awig to add the emergency clause to provide safe transportation to seniors in need.

A voice vote was taken on the emergency clause, and the motion was carried.
Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Awig to adopt 2025-40 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for
Resolution Number 2025-40.
Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

R 2025-41 A Resolution to approve the application made by Richard Stash to have certain land owned by them designated as being located within an agricultural district.
(Introduced by Mayor Corcoran)

This Resolution moved to Second Reading.

Clerk of Council Nicholas Ciofani:

O 2025-42 An Ordinance amending Ordinance 2024-112 which authorized the Mayor of the City of North Ridgeville to enter into a contract with the lowest and best bidder for the City Hall Improvements Project in order to increase the amount not to exceed to \$510,000.
(Introduced by Mayor Corcoran)

Moved by Mayor Corcoran and seconded by Swenk to dispense with the second and third readings for 2025-42.

Mayor Corcoran explained that the project is held up because of the insulation that is needed, and to build a ceiling that is holding up the floor, because it needs to be replaced due to the age of the insulation, and to complete the project by the end of March. This issue was not looked at before the project began. The cost was significantly higher originally because the contractor amount was lower than the appropriation. The request for the amount is higher than the contract amount, but not the appropriation amount.

Councilman Abens inquired about the removal of the ceiling.

Mayor Corcoran explained that they will replace the ceiling that was initially there and lower it a little to blow insulation in the building.

Councilman Shaffer inquired about the statement that the Old Police Station building would be torn down in the Master City Plan. He wanted to know why the city is remodeling something planned to be demolished.

Mayor Corcoran explained that the building would be utilized until the time came to demolish it.

A voice vote was taken, and the motion carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Swenk to add the emergency clause to advance the project in order to meet the expected completion date and avoid any potential cost increases.

A voice vote was taken on the emergency clause, and the motion was carried.

Yes – 7 No – 0

Moved by Mayor Corcoran and seconded by Swenk to adopt 2025-42 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for
Ordinance Number 2025-42.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

O 2025-43 An Ordinance amending Ordinance Number 2024-139 of the City of North Ridgeville, Ohio, providing appropriations for the period commencing January 1, 2025 and ending December 31, 2025.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for 2025-43.

A voice vote was taken, and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to pay the invoices in a timely manner.

A voice vote was taken on the emergency clause, and the motion was carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to adopt 2025-43 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for
Ordinance Number 2025-43.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

R 2025-44 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.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for 2025-44.

A voice vote was taken, and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to pay the invoices in a timely manner.

A voice vote was taken on the emergency clause, and the motion was carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to adopt 2025-44 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for
Resolution Number 2025-44.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

R 2025-45 A Resolution authorizing fund transfers.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for 2025-45.

A voice vote was taken, and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to return the funds to the General Fund.

A voice vote was taken on the emergency clause, and the motion was carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to adopt 2025-45 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for
Resolution Number 2025-45.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

R 2025-46 A Resolution authorizing fund transfers.
(Introduced by Mayor Corcoran)

Moved by DeVries and seconded by Awig to dispense with the second and third readings for 2025-46.

Councilwoman Awig asked about the reason for two advance fund transfers.

Finance Director Wilkerson explained that she separated the fund transfers. One ORC section addresses property tax increment financing and outlines what can be done with the funds. The other ORC section pertains to capital projects for which the City issues debt and describes how the funds can be utilized once the debt is paid off.

President Jacobs confirmed that the funds are moving back to the General Fund.

A voice vote was taken, and the motion carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to add the emergency clause to return the funds to the Capital Projects Fund stated by the Ohio Revised Code (ORC).

A voice vote was taken on the emergency clause, and the motion was carried.

Yes – 7 No – 0

Moved by DeVries and seconded by Awig to adopt 2025-46 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for
Resolution Number 2025-46.

Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

- O 2025-47 An Ordinance authorizing the Mayor of the City of North Ridgeville to purchase five new police vehicles and related equipment from the State Bid List or Co-Op, or to advertise for bids and enter into a contract with an outside vendor according to law and in a manner prescribed by law with the lowest and best bidder.

(Introduced by Mayor Corcoran)

Moved by Mayor Corcoran and seconded by Swenk to dispense with the second and third readings for 2025-47.

Mayor Corcoran explained that the City used to purchase police vehicles biannually, but there was a brief interruption. The delivery of police vehicles takes time due to the necessary accessories. Additionally, the new vehicles will replace those that are over 100,000 miles.

President Jacobs confirmed that the police vehicles are appropriated.

A voice vote was taken, and the motion carried.

Yes – 7

No – 0

Moved by Mayor Corcoran and seconded by Swenk to adopt 2025-47.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-47.**

Yes – 7

No – 0

SECOND READINGS:

Clerk of Council Nicholas Ciofani:

- O 2025-35 An Ordinance 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 roadway resurfacing of Carolyn Drive, Luanne Drive and Monica Drive, and other appurtenances.

(Introduced by Mayor Corcoran; First Reading on 02-18-2025)

This Resolution moved to Third Reading.

Clerk of Council Nicholas Ciofani:

- O 2025-36 An Ordinance 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 Root Road Park Parking Lot Improvement Project.

(Introduced by Mayor Corcoran; First Reading on 02-18-2025)

Moved by Mayor Corcoran and seconded by Abens to dispense with the third reading for 2025-36.

A voice vote was taken, and the motion carried.

Yes – 7

No – 0

Moved by Mayor Corcoran and seconded by Abens to add the emergency clause to plan the improvement project around community events.

A voice vote was taken on the emergency clause, and the motion was carried.

Yes – 7

No – 0

Moved by Mayor Corcoran and seconded by Abens to adopt 2025-36 with the emergency clause.

A roll call vote was taken on the adoption, with the emergency, and the motion carried for **Ordinance Number 2025-36.**

Yes – 7

No – 0

Clerk of Council Nicholas Ciofani:

R 2025-37 A Resolution authorizing the Mayor to enter into a Delinquent Debt Collection Agreement with the Ohio Attorney General pursuant to R.C. 131.02 for the collection of delinquent debts owed to the City.
(Introduced by Mayor Corcoran; First Reading on 02-18-2025)

This Resolution moved to Third Reading.

Clerk of Council Nicholas Ciofani:

R 2025-38 A Resolution to approve the application made by Andrew A. Rack to have certain land owned by them designated as being located within an agricultural district.
(Introduced by Mayor Corcoran; First Reading on 02-18-2025; Public Hearing on 03-03-2025)

Moved by Mayor Corcoran and seconded by Winkel to dispense with the third reading for 2025-38.

A voice vote was taken, and the motion carried.

Yes – 7

No – 0

Moved by Mayor Corcoran and seconded by Winkel to adopt 2025-38.

A roll call vote was taken on the adoption, and the motion carried for **Resolution Number 2025-38.**

Yes – 7

No – 0

Clerk of Council Nicholas Ciofani:

R 2025-39 A Resolution to approve the application made by Woodside, Constance Ann Trustee to have certain land owned by them designated as being located within an agricultural district.
(Introduced by Mayor Corcoran; First Reading on 02-18-2025)

Moved by Mayor Corcoran and seconded by Winkel to dispense with the third reading for 2025-39.

A voice vote was taken, and the motion carried.

Yes – 7

No – 0

Moved by Mayor Corcoran and seconded by Winkel to adopt 2025-39.

A roll call vote was taken on the adoption, and the motion carried for **Resolution Number 2025-39.**

Yes – 7

No – 0

THIRD READINGS:

Clerk of Council Nicholas Ciofani:

O 2025-14 An Ordinance authorizing the Mayor of the City of North Ridgeville, Ohio, to advertise for bids and enter into contract(s) for a twelve-month period, according to law and in a manner prescribed by law, for the purchase of chemicals to be used by the French Creek Wastewater Treatment Plant.
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-14.

President Jacobs confirmed that the chemicals are appropriated annually for the French Creek Water Plant.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-14.**

Yes – 7

No – 0

Clerk of Council Nicholas Ciofani:

O 2025-15 An Ordinance authorizing the Mayor to continue the use of Beacon Water Meter Reading Software, in accordance with use consumption, from Badger Meter, Inc. as part of the Mass Water Meter Replacement Project.
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-15.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-15.**

Yes – 6

No – 1 (Shaffer)

Clerk of Council Nicholas Ciofani:

- O 2025-17 An Ordinance repealing North Ridgeville Codified Ordinance Chapter 268 - Block Grant Grievance Board.
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-17.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-17.**

Yes – 7

No – 0

Clerk of Council Nicholas Ciofani:

- O 2025-19 An Ordinance authorizing the Mayor of the City of North Ridgeville to purchase two (2) one-ton Ford F-550 dump trucks with plows and salt spreaders and accessories for the Public Works Department through the Ohio Department of Administrative Services or the Ohio Department of Transportation Cooperative Purchase Program; or to advertise for bids and enter into contract(s) with outside vendor(s) according to Law and in a manner prescribed by law with the lowest and bidder(s).
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-19.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-19.**

Yes – 7

No – 0

Clerk of Council Nicholas Ciofani:

- O 2025-20 An Ordinance authorizing the Mayor of the City of North Ridgeville to purchase a 2025 Ford F-350 4x4 utility body pick-up truck and accessories for the Public Works Department through the Ohio Department of Administrative Services or the Ohio Department of Transportation Cooperative Purchase Program; or to advertise for bids and enter into contract(s) with outside vendor(s) according to law and in a manner prescribed by law with the lowest and best bidder(s).
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-20.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-20.**

Yes – 7

No – 0

Clerk of Council Nicholas Ciofani:

- O 2025-21 An Ordinance authorizing the Mayor of the City of North Ridgeville or his designee to purchase a Case 621G XR wheel loader and accessories for the Public Works Department through the Ohio Department of Administrative Services or the Ohio Department of Transportation Cooperative Purchase Program; or to advertise for bids and enter into contract(s) with outside vendor(s) according to law and in a manner prescribed by law with the lowest and best bidders(s).
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-21.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-21.**

Yes – 7

No – 0

Clerk of Council Nicholas Ciofani:

- O 2025-22 An Ordinance authorizing the Mayor of the City of North Ridgeville to purchase a 2025 HV507 SFA International dump truck with plow and salt spreader for the Public Works Department through the Ohio Department of Administrative Services or the Ohio Department of Transportation Cooperative Purchase Program; or to advertise for bids and enter into contract(s) with outside vendor(s) according to law and in a manner prescribed by law with the lowest and best bidder(s).
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-22.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-22.**

Yes – 7

No – 0

Clerk of Council Nicholas Ciofani:

- O 2025-24 An Ordinance authorizing the Mayor of the City of North Ridgeville to purchase a 2025 HV507 SFA International dump truck and accessories for the Public Works Department through the Ohio Department of Administrative Services or the Ohio Department of Transportation Cooperative Purchase Program; or to advertise for bids and enter into contract(s) with outside vendor(s) according to law and in a manner prescribed by law with the lowest and best bidder(s).
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-24.

Councilman Shaffer wanted to know if the City can buy used vehicles.

Councilman Abens remarked that this type of equipment cannot be traded or purchased because it has gone out of style. It is not suited for trade-ins since the equipment is worn out, so entering the used market is unwise due to potential issues with the purchase.

Mayor Corcoran explained that the larger vehicles are used for snow removal, which causes the salt to damage the body's exterior. A used vehicle would have signs of this damage. He added that the City has been very efficient with the fleets and uses the vehicles to their capabilities.

Councilwoman Swenk added that the purchase of the vehicles was discussed and approved for the 2025 budget.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-24.**
Yes – 7 No – 0

Clerk of Council Nicholas Ciofani:

O 2025-25 An Ordinance authorizing the Mayor of the City of North Ridgeville to purchase auxiliary equipment through the Ohio Department of Administrative Services or the Ohio Department of Transportation Cooperative Purchase Program for two (2) new International 7400 Chassis vehicles purchase by the City last year; or to advertise for bids and enter into contract(s) with outside vendor(s) according to law and in a manner prescribed by law with the lowest and best bidder(s).
(Introduced by Mayor Corcoran; First Reading on 02-03-2025; Second Reading on 02-18-2025)

Moved by Swenk and seconded by Abens to adopt 2025-25.

A roll call vote was taken on the adoption, and the motion carried for **Ordinance Number 2025-25.**
Yes – 7 No – 0

MEETING ANNOUNCEMENTS:

President Jacobs noted the following:

1. A City Council Public Hearing is scheduled on Monday, March 17, 2025, at 6:45 p.m., in Council Chambers for an Agricultural Application.
2. The next Regular City Council meeting will be on Monday, March 17, 2025, at 7:00 p.m. in Council Chambers.

ADJOURNMENT:

President Jacobs adjourned the meeting at 7:45 p.m.

Approval of minutes on March 17, 2025:

Jason Jacobs
PRESIDENT OF COUNCIL

Nicholas Ciofani
CLERK OF COUNCIL

DRAFT

**NORTH RIDGEVILLE CIVIL SERVICE COMMISSION
MINUTES OF THE
REGULAR MEETING – WEDNESDAY, FEBRUARY 26, 2024**

CALL TO ORDER

The meeting was called to order at 5:00 PM.

ROLL CALL:

Present were Amie Espinoza-Gonzalez and Sam Spann. Also present were Assistant Law Director Toni Morgan and Deputy Clerk of Council Tina Wieber.

Donald Schiffbauer was excused.

APPROVAL OF MINUTES

Regular Meeting Minutes of January 27, 2025

Member Spann asked if the Commission had any questions or comments regarding the regular meeting minutes of January 27, 2025.

None were given.

Moved by Spann and seconded by Espinoza-Gonzalez to approve the regular meeting minutes of January 27, 2025.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Moved by Spann and seconded by Espinoza-Gonzalez to suspend the bylaws to allow the Commission to take action on an item at the end of the agenda on the date of introduction.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

REPORTS

Received an Oath of Office for Patrol Officer Shea Adkisson dated February 3, 2025.

Received an Oath of Office for Firefighter/Paramedic Russell Hellinger, dated February 4, 2025.

Received an Oath of Office for Firefighter/Paramedic Donald Cyrus, Jr., dated February 4, 2025.

Received an Oath of Office for Firefighter/Paramedic Logan Eicher dated February 18, 2025.

Member Spann stated that the Commission had received the Oath of Office for Patrol Officer Shea Adkisson dated February 3rd and also received Oaths of Office for Firefighter/Paramedics Russell Hellinger, Donald Cyrus Jr and Logan Eicher. He congratulated the new patrol officers and firefighters.

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Retirement of Police Lieutenant Patrick West dated February 10, 2025.

Retirement of Police Lieutenant Vincent Abt dated February 20, 2025.

Member Spann stated that the Commission received retirement letters for Police Lieutenant Patrick West dated February 10th and Police Lieutenant Vincent Abt dated February 20th. He congratulated them on their retirement.

Received Oath of Office for Lieutenant Kevin Phillips dated February 25, 2025.

Received Oath of Office for Sergeant John Zingale date February 25, 2025.

Received Oath of Office for Sergeant Charles Callicoa dated February 25, 2025.

Member Spann stated that the Commission had received Oaths of Office for promotions for Police Lieutenant Kevin Phillips, Sergeant John Zingale and Sergeant Charles Callicoa all dated February 25th. He congratulated them on their promotions.

UNFINISHED BUSINESS

There was none.

NEW BUSINESS:

Certification of payroll by Civil Service Commission (Per Rule I, Section 3).

Member Spann stated that the Commission needed to re-certify payroll due to the appointments and retirements.

Moved by Spann and seconded by Espinoza-Gonzalez to re-certify payroll.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Certify the 2025-2027 Firefighter/Paramedic Class D Entrance Eligibility List.

Member Spann stated that the Commission needed to certify the new 2025-2027 Firefighter/Paramedic Class D Entrance Eligibility List.

Moved by Spann and seconded by Espinoza-Gonzalez to certify the 2025-2027 Firefighter/Paramedic Class D Entrance Eligibility List.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

**NORTH RIDGEVILLE CIVIL SERVICE COMMISSION
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Certify the 2025-2027 Top 10 Firefighter/Paramedic Class D Entrance Eligibility List.

Member Spann stated that the Commission would need to certify the new 2025-2027 Firefighter/Paramedic Class D Top 10 Entrance Eligibility List.

Moved by Spann and seconded by Espinoza-Gonzalez to certify the new 2025-2027 Firefighter/Paramedic Class D Top 10 Entrance List.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Certify the 2025-2027 Patrol Officer Step 1 Entrance Eligibility List.

Member Spann stated that the Commission would need to certify the new 2025-2027 Patrol Officer Step 1 Entrance Eligibility List.

Moved by Spann and seconded by Espinoza-Gonzalez to certify the new 2025-2027 Patrol Officer Step 1 Entrance Eligibility List.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Certify the 2025-2027 Top 10 Patrol Officer Step 1 Entrance Eligibility List.

Member Spann stated that the Commission would need to certify the new 2025-2027 Top 10 Patrol Officer Step 1 Entrance Eligibility List.

Moved by Spann and seconded by Espinoza-Gonzalez to certify the new 2025-2027 Top 10 Patrol Officer Step 1 Entrance Eligibility List.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Re-certify the 2024-2026 Police Sergeant Promotional Examination Eligibility List due to promotions.

Member Spann stated that due to the Police Sergeant promotions, the Commission would need to re-certify the 2024-2026 Police Sergeant Promotional Examination Eligibility List.

Moved by Spann and seconded by Espinoza-Gonzalez to re-certify the 2024-2026 Police Sergeant Promotional Examination Eligibility List.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

**NORTH RIDGEVILLE CIVIL SERVICE COMMISSION
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Re-certify the 2024-2026 Top 3 Police Sergeant Promotional Examination Eligibility List due to promotions.

Member Spann stated that due to the Police Sergeant promotions the Commission would also need to re-certify the 2024-2026 Top 3 Police Sergeant Promotional Examination Eligibility List.

Moved by Spann and seconded by Espinoza-Gonzalez to re-certify the 2024-2026 Top 3 Police Sergeant Promotional Examination Eligibility List.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Civil Service Commission Rule VIII, Section 6, Promotions, second paragraph.

Member Spann asked Assistant Law Director Morgan if she wanted to speak regarding Rule VIII.

Assistant Law Director Morgan stated that as noted in the agenda, one person was promoted to Lieutenant but believed there was still one Lieutenant opening and a second, which was anticipated fairly soon. She explained that there needed to be a test for the people who were at the sergeant level to fill possible Lieutenant positions with the retirements and it was anticipated they would have zero applicants who have completed their probationary period and would be available to test from the sergeant level to test for a lieutenant. She added that of course they wanted to promote from within and didn't want to go outside but that the only way for that to happen was to ask the Commission if they would consider waiving the sergeant's probationary period and allow them to test. She discussed the circumstances that they were facing, and that they were not the only ones as there was a shortage in lots of places, but the circumstances were truly unique and felt that it rose to the level required to waive the rule, which was in the interest of the public service. She stated that it allowed them on this one occasion only, for that one test only, allowed the sergeants to take the lieutenant exam, even though they may not have completed their probationary period. She said that they felt it was an urgent need to fill those positions and was important to continue the policing efforts at the appropriate level and that was the motion that they were asking the Commission to consider. She explained that it would be a motion to waive the probationary requirements of the sergeant level applicants contained in Rule VIII, Section 6, for the lieutenant's examination on that one occasion, it being in the interest of the public service to do so due to a lack of applicants and due to the need to maintain appropriate levels of policing in the community.

Member Spann stated that there would be a time-urgent need for lieutenants, and they were not going to have anybody to fill those positions. He explained that they were just stating that as long as they met the other requirements for the job, normally they would have to wait 12 months, but the Commission would go ahead and waive that. He added that everything else was staying the same such as testing and nothing else would be changing.

Assistant Law Director Morgan stated that it was active only for that one examination and hopefully they would never have to do it again.

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Member Spann asked if there were any other questions from the Commission.

Member Espinoza-Gonzalez stated that she read through it and thought about it and asked if they had anybody who was interested and willing to do that.

Deputy Clerk of Council Wieber stated that they just promoted someone to lieutenant and now that list was zero. She explained that there was a sergeant leaving in March and one leaving next year, which would make the candidate pool only the people recently promoted. She stated that she believed that two of them had just completed probation or would be done by the time of testing. She explained that if that wasn't waived, there would be no candidates to take the exam due to the two current eligible sergeants retiring soon.

Member Spann stated that if they didn't waive that, the only option would be that they could open it to the outside.

Deputy Clerk of Council Wieber stated that yes, they could open the testing up to outside candidates as stated in the rules.

Member Espinoza-Gonzalez stated that she would prefer to promote within but if there was nobody to promote, then their option was to open it up.

Assistant Law Director Morgan stated they thought that what had been presented was the best option and that under the circumstances that was their recommendation.

Member Spann stated that if they waived that rule, they should have internal candidates, but if no one wanted it, it could then be open up to the outside. He commented that he thought it made sense to promote from within if they are able to.

Moved by Spann and seconded by Espinoza-Gonzalez to waive the probationary requirements of the sergeant level applicants contained in Rule VIII, Section 6, for the police lieutenant's examination on this one occasion, it being in the interest of the public service to do so due to lack of applicants and due to the need to maintain appropriate levels of policing in the community.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Member Spann asked if there was any other business to go over.

Deputy Clerk of Council Wieber stated that she was not at the last meeting, but they needed to hold an Election of Officers.

Member Spann opened the floor for nominations for the position of Chairman of the Civil Service Commission.

**NORTH RIDGEVILLE CIVIL SERVICE COMMISSION
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Moved by Spann and seconded by Espinoza-Gonzalez to nominate Donald Schiffbauer to the position of Civil Service Commission Chairman.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Member Spann opened the floor for nominations for the position of Vice-Chairman of the Civil Service Commission.

Moved by Spann and seconded by Espinoza-Gonzalez to nominate Sam Spann to the position of Civil Service Commission Vice-Chairman.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

Member Spann opened the floor for nominations for the position of Secretary of the Civil Service Commission.

Moved by Spann and seconded by Espinoza-Gonzalez to nominate Amie Espinoza-Gonzalez to the position of Civil Service Commission Secretary.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

ADJOURNMENT:

Moved by Spann and seconded by Espinoza-Gonzalez to adjourn the meeting.

A voice vote was taken and the motion carried.

Yes – 2 No – 0

The meeting was adjourned at 5:20 PM.

Donald Schiffbauer
Chairman

Tina Wieber
Deputy Clerk of Council, Recording Secretary

Monday, March 24, 2025
Date Approved

**NORTH RIDGEVILLE BOARD OF ZONING AND BUILDING APPEALS
MINUTES OF
REGULAR MEETING – THURSDAY, FEBRUARY 27, 2025**

CALL TO ORDER:

Member Masterson called the meeting to order with the Pledge of Allegiance at 7:00 PM.

ROLL CALL:

Present were members Paul Graupmann, Brad Weaver, Planning Commission Liaison Frank Toth and Linda Masterson.

Member James Cain was excused.

Also present were Council Liaison Cliff Winkle, Chief Building Official Guy Fursdon, Planning and Development Director Kimberly Lieber, Assistant Law Director Toni Morgan and Deputy Clerk of Council Tina Wieber.

MINUTES:

Chairwoman Masterson asked if there were any corrections to the minutes of the regular meeting on Thursday, December 19, 2024.

None were given.

Minutes were approved as submitted.

ELECTION OF OFFICERS:

Chairperson

Member Masterson opened the floor for nominations for Chairperson.

Member Graupmann nominated Linda Masterson for Chairperson.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Vice-Chairperson

Member Masterson opened the floor for nominations for Vice-Chairperson. She nominated Paul Graupmann for Vice-Chairperson.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Secretary

Member Masterson opened the floor for nominations for Secretary. She nominated Tina Wieber for Secretary.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Board of Flood and Drainage Control Liaison

Member Masterson opened the floor for nominations for Board of Flood and Drainage Control Liaison. She nominated Brad Weaver for Board of Flood and Drainage Control Liaison.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Alternate Board of Flood and Drainage Control Liaison

Member Masterson opened the floor for nominations for Alternate Board of Flood and Drainage Control Liaison. She nominated Frank Toth for Alternate Board of Flood and Drainage Control Liaison.

No other nominations were given.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PLANNING COMMISSION REPORT

Planning Commission Liaison Toth stated that the North Ridgeville Planning Commission meeting scheduled for February 11th, 2025 was canceled as no timely applications were submitted for consideration and that the next regularly scheduled meeting will be held on Tuesday, March 11th, 2025 PM in City Council.

OTHER REPORTS OR CORRESPONDENCE

PUBLIC HEARINGS:

PPZ2025-0331: UH Urgent Care, 34548 Center Ridge Rd, PPN 07-00-016-101-054

Owner: The Shops on Center Ridge, LLC, 5050 Detroit Rd, Sheffield Village, OH 44035.

Applicant: Marie Cipolletta, Signarama Cleveland, 18200 S. Miles Rd, Warrensville Hts, 44128. Proposal consists of a sign package. Requests:

1. A 311.58 square foot variance for area of building signs. Applicant shows 431.58 square feet, code allows 120 square feet, Section 1286.11(a)(1)(A).
2. A variance for a second monument sign. Applicant shows two ground signs (existing Scooter's and proposed UH), code allows one, Section 1286.11(c)(1).

Application was read.

Chairwoman Masterson asked if there was a representative for the application.

Marie Cipolletta, 18200 S. Miles Rd, Warrensville Heights, OH 44128, was sworn in.

Mickey Mann, Shop on Center Ridge, 5050 Detroit Rd, Sheffield Village, OH 44035, was sworn in.

Eric Placek, WellStreet, 3350 Riverwood, Atlanta, GA, was sworn in.

Chairwoman Masterson asked Director Lieber to present her report.

Director Lieber stated that the applicants proposed a sign package for the recently approved UH Urgent Care project on Center Ridge Road which consisted of both building signs and a new ground sign. She mentioned that there was a slight correction from the agenda as it was brought to her attention after the agenda went out that the building width should have included the awning on the one side, so instead of the building being 60 feet wide, really it was 66.3 feet and it increased the amount of sign based allocation. She indicated that in her report on the second page there was a grid with the updated numbers. She said that the variance for the wall signs was 298.98 and not the 311 as stated on the front page write up that was on the agenda and she wanted to clarify to look at that grid and that those were the correct numbers. She stated that the UH building shared a parcel with the former Scooters Coffee and that one ground sign was permitted per lot unless a lot frontage was in excess of 500 linear feet or if it was greater than five acres, but that lot did not meet either of those conditions, so the variance was being sought for a second ground sign. She explained that the sign itself would otherwise comply with the code requirements in terms of the height, area and setback. She discussed that the applicant was proposing building signage that was in excess of code allowances and that two square feet of signage was permitted for each linear foot of building width, and in that case that width was 66.3 feet, creating an allocation of 132.6 square feet, and the combination of the three wall signs on the various facades added up to 431 square feet.

Chairwoman Masterson asked the applicant to present their application.

Ms. Cipolletta stated that they were proposing on the north elevation a set of channel letters that was 163 square feet that was going on the front entrance, and on the south elevation another set of channel letters that would be 143.2 square feet and another set on the east elevation that was 100 square feet over the door and were proposing the monument sign along with some window vinyl.

Chairwoman Masterson asked why they were asking for relief from the code for the additional signage.

Ms. Cipolletta stated that due to them being an urgent care, they felt like the community needed to have good recognition of where they needed to go and felt the need that three signs were pertinent for them.

Mr. Mann stated that regarding the second monument sign, the existing monument sign was for the Scooters restaurant, and as they were aware Scooters didn't work out, but they had some news to share hopefully very, very soon about a second tenant that was going to take over the space and that would be the reason why they wouldn't remove the current signage that was for the existing Scooters and was why they were asking for a second signage for the monument for the upcoming University Hospital.

Mr. Placek stated that one of the things to take into consideration with the layout of the site was that they were using the back of the building for parking and that was why they asked for an additional sign toward the back. He stated that it didn't have street frontage, but it allowed patients when they came to the facility to know that they were in the right place, and it was the right elevations where they should enter the building.

Chairwoman Masterson asked if any of the Board members had any questions.

Planning Commission Liaison Toth stated that he noticed that regarding the north sign, the grid broke that sign down as being 167.42 square feet, which was the largest of the three building signs and that one was located on essentially the rear of the building. He mentioned that as their prospective customers would enter the facility, they were going to turn off of Center Ridge, pass that building, go into the parking lot, park their vehicle and then come to approach the building. He stated that at that point in time, the customer already was pretty certain of where they were and where they were going to, so he was a little bit confused as to why they needed the largest sign over the entrance door as opposed to having the largest sign on the south exposure, which was parallel to Center Ridge Road.

Mr. Placek stated that he thought it was more of massing more than anything else, available building, and putting that large of a sign in the space they had available on that north elevation might look a little out of place. He stated that he thought they were trying to balance the building with the sizes and trying to maximize visibility.

Mr. Toth stated that the north side had the largest area sign and on their shortest dimension, 60 feet.

Mr. Placek stated that his understanding was that they were massing and trying to keep it down. He stated that he didn't realize that they sized it that way.

Mr. Toth stated that he was really concerned about the size of the variance. He stated that he realized that they were looking for a high visibility location, but that much signage on that size of a building in that location seemed to be excessive, in his opinion, and that was not even taking into account the additional signage they were going to have for the monument sign. He commented that once their customer was in, they were captive, and he was uncertain as to why such a large sign was needed on their rear entry.

Ms. Cipolletta stated that the rear entry was more of the main entrance.

Mr. Placek stated that the rear entrance was the main entrance and still needed some branding.

Mr. Toth stated that they had the window vinyls on the doors there.

Mr. Placek stated that they were very small.

Mr. Toth stated that their customers would have already parked their vehicle and would be looking at their entrance and that was a concern to him.

Ms. Cipolletta asked if they were to shrink them and swap, if that would help.

Mr. Toth remarked that he wasn't sure that that was the Board's position to change plans and to say what was reasonable and what wasn't. He stated that he just thought a 300-foot variance there in the center of the commercial district was a bit much.

Chairwoman Masterson stated that the Board asks for what their practical difficulty is and why they needed it. She mentioned that they were asking for three times as much as was allowed and asked why. She stated that they understood that it was an urgent care center, but they didn't need to put that signage on all four sides and then having two monument signs, they needed them to prove what their difficulty was other than that they were an urgent care center. She remarked that they were asking for an awful lot and asked again what their practical difficulty was.

Ms. Cipolletta stated that it was an urgent care. She mentioned that they had done several of them and in almost every city they had allowed it because it was an urgent care and they wanted it to have high visibility for the community to know exactly where they were going.

Director Lieber stated that she thought there was some danger in the Board considering the type of business and whether or not to grant a particular variance because then they would be making a content distinction, and they had talked about the sign code and that the regulations needed to be content neutral. She stated that when they were looking at the type of business to determine whether or not it was appropriate, they would be making a content-based distinction and that would not pass the constitutional muster to base a decision on a variance based upon the business type. She added that it would also run with the building, so it could be an urgent care today and some other business tomorrow, but the variance would not go away.

Chairwoman Masterson explained that the variance went with the property and not with the business and that it was a very large ask. She asked if any other Board members had any other questions.

Vice-Chairman Graupmann stated that his only concern was that to him this was just advertising, and they were advertising their brand. He stated that he thought that if people wanted to have an urgent care, they were going to know where the urgent care was. He stated that he thought it was a big ask as well.

Chairwoman Masterson asked if any other Board members had any comments.

None were given.

Chairwoman Masterson asked if anybody in the audience wanted to speak on behalf of the matter.

Michael Kohutich, 5900 Rosebelle Ave, North Ridgeville, OH 44039, was sworn in.

Mr. Kohutich stated that living off of Jaycox there that he agreed with Mr. Toth to have it out in front because that was where the majority of the traffic went, because he was always passing by that area. He

mentioned that he was a little confused but if he understood correctly, then the back of the building, which was actually the main entrance, no one would actually be seeing that. He stated that he thought that they would be better off getting whatever sizable sign for the front and then their monument sign or whatever that's called on the front because of all that traffic there, they would have no problem.

Chairwoman Masterson asked if anyone else had anything they wanted to add.

Assistant Law Director Morgan stated that it sounded like there was going to be a diversity of opinion on those and asked that they vote on them separately.

Mr. Placek stated that he was going to ask the Board what their options were at that point.

Chairwoman Masterson stated that they would be voting on the application as presented or another option was for them to withdraw their application.

Chief Building Official Fursdon commented that they could also reduce it.

Ms. Cipolletta stated that she wanted to know what suggestions they had if they did reduce it.

Chairwoman Masterson stated that the Board could not do that as it wasn't their job.

Mr. Mann stated that just to be clear, they could vote on the monument and the overall signage separately as two separate agenda items.

Chairwoman Masterson stated that was correct.

Mr. Placek asked if they could come back to the Board if they voted.

Chairwoman Masterson asked if they wanted to give any argument as to the need for the two monument signs because they were going to vote on them separately.

Mr. Mann stated that two very separate businesses happened to be on a same parcel, two separate buildings, one an existing coffee shop that was going to be with the drive-thru window, so any future business there would be more of a quick service restaurant and then the current University Hospital proposed monument, very different uses, just happened to be on the same parcel.

Planning Commission Liaison Toth asked Assistant Law Director Morgan if the vote at that meeting would be to have two monument signs on the property or if they had the option to approve the UH monument sign with the stipulations that the scooter sign was removed.

Assistant Law Director Morgan stated that the Scooter sign was not in front of them, so she didn't think that was an appropriate way to handle it that evening. She mentioned that if they wanted to come back to the Board, they could table it until a time that was certain and come back as now they were aware of some of the concerns and revamp the plan, she thought it would make sense to do both of them rather than vote on one that evening and not the other one, because they may change their mind during the process.

Ms. Cipolletta stated that they would rather table it that way they could go back to UH to have them revamp the drawings and give the Board exactly what they wantd.

Moved by Masterson and seconded by Toth to table the application until the next meeting.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2025-0332: Richard & Kelly Greenfield, 9160 Pleasant Ridge Circle, PPN 07-00-001-000-410

Proposal consists of installing a fence on a corner lot. Property is zoned R-1 Residence District.

Request:

1. A 9-foot variance for a fence extending beyond the front building line on a corner lot. Applicant shows a 6-foot-high privacy fence extending 9 feet beyond the front building line, code does not permit, Section 1294.01(h)(2)(A).

Application was read.

Chairwoman Masterson asked if there was a representative for the application.

Richard Greenfield, 9160 Pleasant Ridge Circle, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber to present her report.

Director Lieber stated that the applicant was requesting a variance for the setback of a fence extending closer to the street than the front building line of their residential lot. She discussed that the lot was a corner lot such that both Pleasant Ridge Circle and Little Brook Way were front yards in accordance with the code. She stated that the house was set back 22 feet from the right-of-way on Little Brook and the applicant was proposing a six foot high tan vinyl fence that would project 9 feet from the building line towards that right-of-way, which then would run parallel to the street. She stated that any portion of fence between the right-of-way and the front building line also must be no greater than 4 feet high and no less than 50% open. She said that she wanted to point out that in the past they would write those up as height and opacity variance requests, but in that case clearly the fence was behind the house and it seemed that to write it up as a front yard fence with that 4 foot height and 50% open didn't seem the right direction and to her it was a setback variance. She stated that they were encroaching 9 feet beyond the front building line with a six foot high fence and that was why it was written up differently than maybe they had seen it in the past.

Chairwoman Masterson asked Chief Building Official Fursdon if he had any report to give.

Chief Building Official Fursdon stated that they were saying similar things that they were running a fence into a front yard that exceeded the height and openness requirements of the ordinance.

Chairwoman Masterson asked the applicant to speak on behalf of their application.

Mr. Greenfield stated that he was only requesting 9 feet of variance and that the reason for the fence variance was because of his landscape. He explained that if they went directly off of their corner

building, there were massive pine trees that would need to be removed that had been paid for. He said that they wanted to have as much yard as possible for a possible pool in the future and another reason for the fence was their dog. He stated that in looking at the bottom corner picture on the screen, the variance would not impede the view of the oncoming traffic going around the corner there or coming from the other way as well.

Chairwoman Masterson asked any of the Board members had any questions or concerns.

Mr. Toth stated that he had taken a look at the property, and regarding the Duncan Factors he read, “Will the essential character of the neighborhood be substantially altered or will adjoining property suffer a substantial detriment as a result of this variance” and said that in looking at his property, he saw no detriment whatsoever to the neighborhood. He stated that he felt that his variance was justifiable and stated that he would be inclined to vote in the affirmative based on that situation.

Member Weaver asked to be clear, they were asking for setback versus the opacity or the dimension on the fence.

Director Lieber stated that it was like six of one or half dozen of the other. She explained that in that case, just because it was behind the house and it acted more like a rear yard fence, so she wrote it up as a setback for the agenda but if it were 4 feet high and 50% open, it would comply and then it could be in the current location.

Chairwoman Masterson stated that she rode past the house regularly and as Director Lieber had stated, generally when someone had a corner house, they had two front yards. She stated that his practical difficulty was his front yard and how it was situated. She mentioned that he was correct that regarding his backyard, he could not move those trees without some serious landscaping, which is not one of our concerns. She said that the way that the fence was normally when looking at a corner lot, they were looking at 2 front yards and as Director Lieber stated that it was basically completely in the backyard. She asked Chief Building Official Fursdon if it were not on a corner lot, would it be compliant with code.

Chief Building Official Fursdon stated that it would.

Chairwoman Masterson stated that that was another thing to take into consideration. She mentioned that he had behind his house a very large common area, a huge retention or detention basin there.

Mr. Greenfield stated that was correct.

Chairwoman Masterson asked if there anybody in the audience that wanted to speak on behalf of the matter.

None was given.

Member Weaver stated that they were asking for something that was above and that they could have a four foot fence with 50% opacity and it would be in compliance, so they weren't saying that they couldn't have a fence, but were just saying that what he was asking for went above and beyond what was allowed, and asked if that was correct.

Chairwoman Masterson stated that if it were a front yard but when she asked Mr. Fursdon, if it were not a corner lot, would he need a variance, his response was no.

Member Weaver asked Director Lieber if he could still put in a fence, it would just have to within compliance of the four feet and 50% opacity and that was what they were voting on, that the variance went above a normal fence that could be put there.

Director Lieber stated that was correct.

Chairwoman Masterson stated that because he had a corner lot.

Member Weaver asked if it was not so much the corner lot.

Director Lieber stated that if it wasn't a corner lot, a variance wouldn't be required, but that was why he was there was because it was a corner lot and because they had two front yards for corner lots in the code and because he was proposing to install a fence in a manner that would encroach into that front yard or was too high and too opaque. She explained that they couldn't really say if not for the fact because that was the exact fact that brought the applicant there that evening.

Member Weaver stated that the other thing was that it was out of his control that he lived on a corner lot and asked if that was correct.

Chairwoman Masterson stated that was not correct because he bought the house.

Member Weaver commented that he couldn't change the fact that it was a corner lot, so they were saying that the fence had to fall within the code.

Director Lieber stated that that might go to the Duncan Factor, "Did the property owner purchase the property with knowledge of the zoning restriction", and they would hope that purchasers would know that corner lots might be treated different because the code was set up to require the two front setbacks. She explained that the corner lot requirements had been in effect for decades and decades and was not an unknowable fact.

Member Weaver stated that there were multiple corner lots in the City of North Ridgeville.

Director Lieber stated that there were hundreds, and it was not unique.

Assistant Law Director Morgan stated that they could potentially look at maybe the fact that it was a corner lot as being part of the practical difficulty that was common to all corner lots, if they wanted to use that as part of the way they looked at it while making their deliberation, because but for the fact that it was a corner lot; so they might want to look at that as a practical difficulty.

Director Lieber stated that she had a slightly different opinion that that would seem to then be a policy determination that all corner lots should be granted variances by the nature of them being corner.

Chairwoman Masterson stated that that would be her concern.

Assistant Law Director Morgan stated that it was a factor to consider and it didn't mean that it was a factor that made them vote a certain way but was just something to look at.

Chairwoman Masterson stated that the way that she was looking at it was that each individual application was individual and they should be discussing that application and only that application.

Mr. Fursdon, stated that in the past when those type of applications were presented, they would always look at it from a safety factor, if it was going to impair motor vehicle or pedestrian traffic from safely going up and down that street.

Chairwoman Masterson stated that in going over the Duncan factors, it was not a large variance and if it weren't a corner lot, it would be allowed. She stated that one of the unique qualities of the lot was just the way that the house and the driveway were situated and didn't think that many houses in the City of North Ridgeville had a driveway the way that his went on to two different streets and thought that was another practical difficulty. She stated that she didn't think it was going to impact the neighborhood and as Mr. Fursdon stated the reason why they had that requirement in place was for safety reasons and it would not impact that. She read, "Will this variance adversely affect the delivery of governmental services" and stated no, it wouldn't. She read, "Did the property owner purchase the property with the knowledge of the zoning restriction" and stated that 99% of the population did not know that if they buy a house on a corner lot that it had two side lots. She read, "Can the owner's predicament be precluded through some other method or variance" and commented that of course it could, but if it weren't a corner lot, it would be allowed.

Moved by Toth and seconded by Graupmann to approve the variance request.

A roll call vote was taken and the motion carried.

Yes – 3 No – 1

PPZ2025-0333: North Ridgeville City Schools Transportation & Maintenance Center, 7001 Ranger Way, PPN 07-00-016-104-233

Applicant: Claire Bank/Then Design Architecture, 4230 River Street, Willoughby, OH 44094. Property is zoned R-1 Residence District. Proposal consists of site lighting for Transportation and Maintenance Center. Requests:

1. A variance for lighting fixtures that are not full cut-off. Applicant shows five pole lights installed at a 45-degree angle and wall packs that are semi cut-off, code requires full cut-off, Section 1285.08(c)(1).
2. A 14-foot variance for luminaire height. Applicant shows fixture height of 30 feet, code allows 16 feet in residential districts, Section 1285(d).
3. A variance for excessive illumination levels in an open parking lot. Applicant shows average of 2.8 fc and maximum of 20.8 fc in the bus parking lot, code allows 2.0 fc average and 5.0 fc maximum, Table 1285.08-1.

The application was read.

Chairwoman Masterson asked if there was a representative for the application.

Claire Bank, 4230 River St, Willoughby, OH 44094, was sworn in.

Chairwoman Masterson asked Director Lieber to present her report.

Director Lieber stated that the North Ridgeville City School District was seeking variances for their lighting and photometric plan for the new transportation and maintenance center on Ranger Way and that Planning Commission approved the project in December with the condition that staff review the final photometric plan for the parking lot for compliance. She explained that because the applicant had been unable to achieve zoning compliance through their design process, the lighting plan could not be approved administratively, which led to the variance request. She discussed that the plan deviated from the code in three ways with the first being that the building lights were semi cut off and the five of the new parking lot light fixtures would be angled and therefore not full cut off. She mentioned that full cut off really meant parallel to the ground, so not angled or where the light source was not exposed. She stated that second, the lights would be mounted at 30 feet and code allowed 16 feet in residential districts and even though it was a civic campus or a school campus and was surrounded by civic property, it was still zoned R-1 and was considered a residential district in terms of the code. She stated that third, the lighting levels exceeded code requirements for open parking lots and those were the three areas of variance requested before the Board that night.

Ms. Bank stated that the overall use of the site was going to be a bus parking lot and a transportation and maintenance center, so a lot of the reasons for the positioning and the height of the lighting fixtures had to do with making sure that the parking lot had safe lighting levels for the bus drivers moving around early morning and the buses driving around. She discussed that regarding the fixtures not being full cut off, they ended up needing to tilt some of them to cast light farther into the lot. She stated that the lot was large and the school district desired not to have parking lot lights in the middle of that because of the traffic going through the lot, making sure that those wouldn't get damaged over the years with the buses going through there. She mentioned that they kept the lights that would be facing Ranger way flat and those were full cut off as far as the taller pole light fixtures, but the ones that were facing away had a 45 degree tilt to cast the light farther into the lot. She explained that if all of them were flat, there were a substantial number of spots within the middle of the lot that would not have any lighting levels within it. She stated that due to keeping those lights at the perimeter, they did have some brighter spots at the perimeter just because they were casting that light farther into the lot instead of having lesser light coverage all throughout. She said that for the wall packs, they had those semi cut off trying to keep the amount of poles and things like that at a minimum and where they were going to have such large vehicles moving around, but knowing that there was a challenge of getting in and out of the building and pedestrians walking around that building, and wanting to make sure that it was well lit there. She added that only one of the wall packs actually faced towards Ranger Way and that the others were facing onto the school property. She discussed that the height of the fixtures would be matching the fixtures that were on North Ridgeville's campus and the parking lot directly adjacent that they were expanding north to create the facility had 30 foot poles in it. She said that some of the lighting fixtures were going to go onto those existing poles and then the others were to continue that campus like feel and with the larger vehicles, it was nice to have those higher to get more coverage without increasing the number of poles. She said that regarding the higher level of lighting within the parking lot, that that lighting really was contained as far as those higher moments of foot candles to being within the perimeter of that fence. She mentioned that they were not going towards Ranger Way as far as creating difficulty for drivers that would be driving by. She stated that the lighting fixtures that were tilted, they were putting shields on those to make sure that as people were driving by, they were not seeing anything and they were tilted away from Ranger Way.

Chairwoman Masterson asked Assistant Law Director Morgan if the variances should be addressed as

one, two and three.

Assistant Law Director Morgan stated that was correct.

Chairwoman Masterson asked if any of the Board members had any comments, questions or concerns.

Member Weaver stated that he had a concern regarding whether it was still possible to achieve what they were asking for and not require so much light pollution. He mentioned that there was a lot of light still in that located place and one of his concerns was regarding the light pollution and not having full cut off or full turn down on the lights.

Chairwoman Masterson asked Chief Building Official Fursdon if it was still considered residential property.

Chief Building Official Fursdon stated that it was zoned residential.

Chairwoman Masterson asked if the parking lot where it was located was a great distance to home residents.

Chief Building Official Fursdon stated that there were residents over on Pitts Boulevard but it was a little ways away. He mentioned that they had the trailer park behind the shopping center across the street from it. He stated that there were residents down on Bainbridge but that was a fair ways away.

Chairwoman Masterson asked if it were a commercial piece of property, would it be code compliant.

Director Lieber stated that one of the variances would be reduced. She explained that the pole height maximum would be 25 feet if it were not residential, so the poles as proposed would still require a variance, it would just be a lot less of a variance, but otherwise all the other variances would remain the same.

Chairwoman Masterson asked if there were any other Board members that had any other comments, questions or concerns.

Vice-Chairman Graupmann stated that he did not realize it was going to be housing school buses and thought that the height of the poles would almost necessitate something being that high to accommodate the school buses and also to illuminate the ground around the school buses because of the shadows that it would cast.

Chairwoman Masterson commented that she agreed and that while it seemed like very large variances, when contemplating what it was for, it was an unusual circumstance. She stated that Mr. Graupmann made a very good point that the lighting was for a parking lot full of buses.

Planning Commission Liaison Toth stated that he wanted to talk about the hot spots that were going to be created by angling the lights. He discussed that the light, according to the drawings, was going to be contained on their property and was not a trespassing issue into any of any adjoining property, and nothing into the right-of-way and that was achieved by the shields at the 45-degree angle. He stated that the only light he saw that possibly was an issue was the one on the west side of the building, the wall

pack there that was right by the exit but seeing as that was the exit and not the entrance, he didn't foresee that causing any problem there. He mentioned that although it was not the Board's consideration at that time, not having light poles in the parking lot was probably a good idea. He stated that the last thing he wanted to address was that they were looking to match the other light poles that were located on the campus and that he had asked the clerk to see if they were granted a variance when they built the original academic center and there was no record of any variance at that time and he thought that was what probably led them to the position where they were that day, looking for a variance on the same piece of property to do basically the same thing.

Chairwoman Masterson asked if anyone in the audience had any comments or questions.

Holly Swenk, 36259 Center Ridge Rd, North Ridgeville, OH 44039, was sworn in.

Ms. Swenk commented that the current bus garage had terrible lighting, and the new bus garage would not be located where the other bus garage was that had houses behind it. She mentioned that the bus garage was in a kind of unique situation where it was not really in a residential area but had the fire department, the police department and the schools there. She stated that she thought it should be approved.

Council Liaison Winkle stated that it was a unique situation because they were trying to structure something in an R-1 district that was not something that was made for an R-1 district when looking at the parking lot because that was a commercial parking lot in an R-1 district and was unique in itself and the practical difficulty was almost there already. He stated that concerns regarding the Duncan Factors such as "Will the variance follow the property" and stated that it was going to be the school and was not going to change and was a concern they didn't need to have. He commented that when looking at the lighting photometrics and seeing all the hot spots on there, they had to envision at night with all the buses parked there what it would look like because it would look completely different than what they saw on the photometrics. He stated that he could see why they angled the 45's out there because when the buses were parked there, they had to throw light over the buses to get it out in the parking lot, otherwise they would have dead spots. He stated that it was just a unique perspective from what he did for a living but light equaled security and that was how it kind of worked. He stated that they didn't want to grossly indulge in light without any checks and balances, but the more light, the more secure things were.

Chairwoman Masterson asked if the Administration had anything else to add.

Assistant Law Director Morgan stated that one question Mr. Toth brought up was that the light was staying on the property and that would be her biggest concern and it sounded like they had covered that.

Chairwoman Masterson then read through the Duncan Factors and asked if there was any other discussion.

Planning Commission Liaison Toth stated that he wanted to add that add that the Board's actions that evening were the result of the Planning Commission asking for Administrative approval of the final photometric plan and that was the reason they were there that evening looking at it.

Moved by Masterson and seconded by Graupmann to approve variance request number one.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Moved by Masterson and seconded by Graupmann to approve variance request number two.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

Moved by Masterson and seconded by Graupmann to approve variance request number three.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

PPZ2025-0334: Javier Feliciano, 5884 Rosebelle Ave, PPN 07-00-020-108-019

Proposal consists of a detached garage. Property is zoned RS-2 General Residence District. Request:

1. A 284 square foot variance for area of detached private garage. Applicant shows 960 square feet, code allows 676 square feet, Section 1294.03(d)(1). Note: Garage also exceeds 26 feet in width.

Application was read.

Chairwoman Masterson asked if there was a representative for the application.

Javier Feliciano, 5884 Rosebelle Ave, North Ridgeville, OH 44039, was sworn in.

Chairwoman Masterson asked Director Lieber to present her report.

Director Lieber stated that it was a .13-acre lot located in an RS-2 district. She explained that the lot was non-conforming and that it did not meet the required minimum lot area, so it was a little bit undersized but was a legal non-conforming lot. She discussed that by way of history, in April of 2024, building department staff determined that the owner had constructed a garage addition on his property without the issuance of a permit. She stated that a citation was issued in April and then in May the applicant had submitted a permit application to obtain the required approval for the garage. She discussed that during plan review, it was found that the garage addition did not comply with the requirements of the code, so then in June of 24, the City issued its plan review findings that the garage was too close to the property line and exceeded the maximum area for a garage. She stated that then the applicant was advised they had to bring the garage into compliance or seek variance from the BZBA and the applicant appeared before the Board on July 25th of last year with two variance requests, one for the side setback and one for the size of the garage. She said that at that time, the proposed building was 1032 square feet, and the variance request was 356 square feet, and both of those variances were denied. She indicated that the applicant reduced their request, reapplied, appeared before the BZBA on December 19th of last year with a single variance request as they were able to eliminate the side set back. She stated that the building reduced from 1032 square feet to 984 square feet, which was still at that point over by 308 square feet and was denied. She stated that the applicant was before them that evening having made another change to the previous proposal and that the area of the garage continued to exceed code requirements by 284 square feet and that 960 square feet was proposed, and 676 square feet was

permitted. She added that the applicant had technically reduced their request and the amount of reduction from the December application to the February application was only 24 square feet total and was less than 8% reduction in the variance request.

Assistant Law Director Morgan stated that she just wanted to note that as the Board was well aware, the change that was being proposed was not substantial.

Chairwoman Masterson asked Mr. Feliciano what his practical difficulties were.

Mr. Feliciano stated that he didn't know what that meant.

Chairwoman Masterson stated that when he was there the previous two times, they kept asking why they should grant the variance, what caused it and he indicated in the past that that his contractor didn't pull permits. She asked if his contractor was there.

Mr. Feliciano stated that he wished he could find him. He stated that he met him at a casino and that he went to the casino almost every week to try to find him, but he couldn't. He stated that he had told him that he had built pretty much all of Redtail and that he used to be a contractor for all of Redtail. He commented that after trying to find him and the fact that he didn't want to take a check from him and just took his money and never gave him a receipt, kind of made him think.

Chairwoman Masterson asked if any of the Board members had any questions or concerns.

Planning Commission Liaison Toth stated that he was reading his letter of support, and it stated that there were unique challenges presented by the topography and layout of the land, and I'm curious as to what that consists of.

Mr. Feliciano looked through the document and was unable to find what he was referring to.

Planning Commission Liaison Toth said regarding the property located at Rosebelle Avenue, that he was asking about the unique challenge he stated in the letter that there were unique challenges presented by the topography and layout of the land, and he was curious as to what those consisted of.

Chairwoman Masterson asked if there was anything regarding his ground and the layout of the land that made him build where he had.

Mr. Feliciano stated that the way it was built was probably the best and the most unique place to put it instead of being on the other side.

Planning Commission Liaison Toth stated that looking at the drawings currently submitted that day, it was a different building than what he presented to them.

Mr. Feliciano stated that was correct, they just did the new building and not the existing building.

Planning Commission Liaison Toth stated that as he looked at it currently, there were the two buildings that still coexisted and shared a common roof line. He stated that the structure that he was showing was incomplete because the roof actually went over top of the building next to it.

Mr. Feliciano stated that he was just asking for a variance for the new building and not both buildings.

Planning Commission Liaison Toth asked if he could get some clarification from Chief Building Official Fursdon. He stated that in the presentation that they had been given in December, there was a separate detached garage and a new structure that shared a common roof, making that structure approximately 40 feet wide and currently as the structure stood, it existed as those drawings were presented to them back in December. He commented that the drawing given to them that evening did not represent the structure as complete.

Chief Building Official Fursdon stated that it represented what he was proposing to do with the garage if he got the variance.

Planning Commission Liaison Toth stated that he would need to remove the common roof from the second building.

Chief Building Official commented not the common roof, he would need to take and move the exterior wall to reduce the square footage of the garage, which he could do if they cut off the roof.

Planning Commission Liaison Toth stated that the drawing they had only represented 20 feet then of the building and it didn't represent the entire building.

Chief Building Official Fursdon stated that the drawing did not represent the whole garage and believed that he was only showing the addition portion. He explained that there was an existing garage to the left side of that that was probably equivalent in size to that.

Planning Commission Liaison Toth asked if on that size of a lot would he be allowed to have two separate buildings or was he going to take this 20 and put it with the other 20.

Chief Building Official stated that it was already attached as one building and his intention was to leave it that way and reduce the size of the new addition to whatever the variance request was approved. He discussed that they could have two separate buildings down there, but the ordinance said they had to be 10 feet apart, which was another issue but there was no separation between the two buildings, it was one continuous building.

Chairwoman Masterson asked if any of the Board members had any other comments.

None were given.

Chairwoman Masterson stated that the problem was that they were looking for him to give the Board practical difficulties. She mentioned that he had spoken to the building department, and they had the Law Director there at the last meeting and he did suggest looking into legal matters regarding suing the person who was his builder.

Mr. Feliciano asked if she meant legal matters like suing the person who was his builder and stated that he was trying to find him, but he couldn't sue somebody he couldn't find.

Chairwoman Masterson stated that the problem was that he built a building without any building

permits, and he built a building that exceeded the code, and he needed to give reasons why he should be allowed to be exempt from the code and that had been asked of him in July and in December. She stated that he just kept shrinking the building and not giving the Board reasons to grant the variance.

Mr. Feliciano stated that the reason that the building was built was for a garage to be able to keep his tow truck inside.

Chairwoman Masterson stated that he was a business owner, and any business owner had to follow rules and regulations and anytime someone built a building, it did need a building permit.

Mr. Feliciano stated that he could follow the rules, but if he talked to somebody who led him wrong, or gave false information, and he trusted him, he believed in him by being a contractor and he did him wrong. He stated that he thought that he was okay by listening to him because he was a contractor and that was why he had been coming there trying to get more of a variance.

Chairwoman Masterson stated that it was the third time that he had been before the Board and she understood that he hired someone and paid him in cash, but last time the Law Director asked him if he had pursued it legally and contacted an attorney. She asked if he had an attorney representing him.

Mr. Feliciano stated that he had been trying to call Cuyahoga County and Lorain County and there was no attorney to represent that. He stated that he had been trying to get an attorney to help him but there was nobody that did it in Lorain County and no one that did it in Cuyahoga County. He stated that he called every day, although he was super busy with his two companies that he had, so he only had certain times to call, but he had to do his research. He stated that he also talked about obtaining the other side of his property and trying to file for that as well.

Chairwoman Masterson asked if he had done that.

Mr. Feliciano stated that he went to the Clerk of Council's office and talked to the lady about getting the other half of the property.

Chairwoman Masterson asked if he had hired a surveyor.

Mr. Feliciano stated not yet. He stated that he did a few years back and she was trying to look for some paperwork. He stated that recently he talked to her but he filed years back and tried to get it.

Chairwoman Masterson stated that they were talking about the present.

Mr. Feliciano stated that yes, he did file.

Chairwoman Masterson commented that he filed to have the property vacated and asked if he had filed the paperwork. She stated that it was talked about at a meeting years ago, but in order to have a property vacated, he had to initiate the paperwork. She asked if he had started the process now.

Mr. Feliciano stated no, he hadn't started the process, but he had to start the process. He stated that all he had done was talk to the clerk.

Director Lieber stated that the issue of the potential street vacation really was a separate matter from the application before them. She discussed that a petition had not been filed and that was a Council legislative action with public hearing requirements and the idea that the those two issues were completed together was not appropriate. She stated that additionally, it wouldn't change the variance requested even if that street vacation occurred and lots were consolidated, it wouldn't change the variance. She said that she preferred to keep that separate, not part of the Board's thought process.

Chairwoman Masterson asked if there was anyone in the audience that wanted to speak on behalf of the matter.

Michael Kohutich, 5900 Rosebelle Ave, North Ridgeville, OH 44039.

Mr. Kohutich stated that he was Javier's neighbor and understood what the Board was saying regarding the addition to his existing garage and to him as long as he reformed or went back in the code and moved that wall to the correct square footage, he really didn't see a problem with it. He stated that it didn't bother him or anybody in the neighborhood. He stated that it wasn't as if anyone would drive down the street and all of a sudden, they could see it. He stated that he was a little dumbfounded because typically being in the trades that usually a builder had to come to the city and submit to get a building permit. He stated that he was a good neighbor and a great guy and that he felt bad for him because it was a lot of money.

Kyle Winkle, 5889 Rosebelle Ave, North Ridgeville, OH 44039, was sworn in.

Mr. Winkle stated that he had been living there for about 10 years now and Javier was his neighbor right across the street from him for all 10 years. He stated that he had been a fantastic neighbor and an even better person. He discussed that they could have plenty of people there vouching for how nice he was and that it didn't necessarily help the situation, but he did think that the contractor he hired had put him in a really bad spot. He stated that he personally didn't think that Javier would try to slide anything under the radar or do anything to hide from the city. He said that he truly believed that he was just trying to make it right and wanted a bigger garage for his tow truck.

Holly Swenk, 3625 Center Ridge Rd, North Ridgeville, OH 44039.

Ms. Swenk asked Mr. Feliciano if he could afford to take the garage down and rebuild it.

Mr. Feliciano stated that he could not.

Ms. Swenk asked him if that was a hardship for him.

Mr. Feliciano stated that it was.

Assistant Law Director Morgan stated that she just wanted to point out, which Board already knew, but when considering whether or not to approve the application, they needed to look at things which were quantitative, which were factual, which were evidence. She stated that she was sure Mr. Feliciano was a great neighbor and a great person, but they had to sort of set that aside when making their determination and she just wanted to mention that to the Board before they voted.

Chairwoman Masterson read through the Duncan Factors, “Will this property yield a reasonable return or beneficial use without the variance” and remarked yes. She read “Is the variance substantial” and stated that the variance was still excessive at 42%. She stated that she had no practical difficulties to grant a variance of 42%. She read, “Will the essential character of the neighborhood be substantially altered or will adjoining property suffer a substantial detriment as a result of the variance” and stated that it was a very dense neighborhood with homes that were very close and under 1/4 of an acre, which was the reason for the rules and regulations. She then read, “Will the variance adversely affect the delivery of governmental services” and stated that it wouldn’t. She read, “Did the property owner purchase the property without the knowledge of the zoning restrictions” and explained that the zoning restrictions predated the property and the ownership of the residence, so yes, the property owner did purchase the property with knowledge of the restrictions. She read, “Can the property owner's predicament can be precluded by some other method other than a variance” and stated that yes, it could. She said that the original garage was 20 by 24 feet, which was 480 square feet and that the garage could be enlarged up to 676 square feet without the need of a variance. She read, “Would the spirit and intent behind the zoning requirement be observed and substantial justice done by granting this variance” and commented that the applicant provided a statement that the topography and layout of the land presented a unique challenge necessitating the variance, but did not detail nor when asked, tell them what those topographical or layout challenges were. She added that there were lots of similar size and orientations to other lots in the vicinity and that the garage was constructed without permit, so the desire to keep the structure with minimal modification was not a practical difficulty, but a self-created hardship.

Moved by Masterson and seconded by Graupmann to deny the variance request.

A roll call vote was taken and the motion carried.

Yes – 4 No – 0

ADJOURNMENT:

The meeting was adjourned at 8:30 PM.

Linda Masterson
Chairwoman

Tina Wieber
Recording Secretary/Deputy Clerk of Council

Thursday, March 27, 2025
Date Approved

**NORTH RIDGEVILLE PLANNING COMMISSION
MINUTES OF REGULAR MEETING
TUESDAY, MARCH 11, 2025**

CALL TO ORDER:

Chairman Smolik called the Planning Commission meeting to order with the Pledge of Allegiance at 7:00 PM.

ROLL CALL:

Present were members Frank Toth, Council Liaison Bruce Abens and Chairman James Smolik.

Vice-Chairman Paul Schumann and member Steve Ali were excused.

Also present were Assistant Law Director Toni Morgan, City Engineer Christina Eavenson, Planning and Development Director Kimberly Lieber and Deputy Clerk of Council Tina Wieber.

MINUTES:

Chairman Smolik asked if the members had a chance to review the minutes of the regular meeting on January 14, 2025. He asked if there were any corrections. Hearing none, the minutes were approved as submitted.

CORRESPONDENCE:

Administrative Approvals & Zoning Certificates

1. PPZ2025-0338 Little Ranger Rumble, 33135 Center Ridge Rd

Approval of a Certificate of Zoning Compliance for a commercial recreation; indoor toddler playground.

Chairman Smolik asked Director Lieber if she would review the administrative approvals.

Director Lieber stated that one zoning certificate had been approved since the last meeting, which was for Little Ranger Rumble, an indoor toddler playground, which will take a portion of the space formerly occupied by Bullfrogs on Center Ridge Rd. She stated that she also wanted to mention that work was underway on the zoning code update and that she had been working with the consultant on basically establishing the districts and uses, use tables, use standards and conditional use standards. She said that they were getting close to at least having a draft of that section for full staff review and wanted them to know that that was happening in the background. She discussed that they would also be looking at scheduling a public meeting to discuss the Lear Lorain traffic study and recommendations likely towards the end of April, beginning of May timeframe and to stay tuned for more information about that as well.

OLD BUSINESS:

NEW BUSINESS:

PPZ2025-0337: Victory Park, 7777 Victory Lane, PPN 07-00-003-102-106

Owner: PMJ Park Holdings, 7777 Victory Lane, North Ridgeville, OH 44039. Proposal consists of new turf

fields, lighting and other site improvements. Property zoned I-2 Light Industrial District.

Application was read.

Chairman Smolik asked Director Lieber for findings of fact.

Director Lieber stated that the property itself was owned by the City of North Ridgeville, but the operator was PMJ Park Holdings LLC, a private entity. She discussed that the property was zoned I-2 Light Industrial District, however, the agreement between the City and the operator established the permitted use of this property as a sports park to include ball fields, parking, lighting, fencing and all the other amenities in support of a sports park. She added that the agreement also provided that prior to the installation of any improvements or changes, that the City would review and approve that installation in compliance with the codified ordinances and that it would include review by boards, commissions or councils and that was the reason for the project before you them that evening. She stated that the proposal consisted of the installation of two turf fields, identified on the plans as field 3 and field 4, lighting and other site improvements in support of the turf field project. She explained that turfs one and two were existing and were west of the new fields and installed in the last several years without going through the planning review process. She stated that the new fields were shown located in the northernmost area of the site plan shown in blue to the right with the existing turf fields to the west and the lake to the east. She mentioned that there was an existing asphalt access drive between the fields that were currently connected over towards Cook that would be reduced in length and be terminated in a T-turnaround. She stated that 12 new light poles were proposed and that 10 surrounded the new fields and were 80 feet high. She said that the two additional ones were 70 feet high and were a little bit to the south, more towards the parking area. She indicated that pole height, fixture type and illumination levels all exceeded the code requirements. She explained that it was a very unique area of the Planning and Zoning code regarding the lighting as Planning Commission had authority to grant approval without the need for variances. She said that that specific part of the code read, "That because of their unique requirements for providing greater nighttime visibility, their need to ensure public safety and their limited hours of operation, stadiums, which included ball diamonds, playing fields and tennis courts, amphitheaters and similar uses were exempted from the exterior lighting standards. A lighting plan for these uses shall be established at the time that the request for exterior lighting is made and shall be subject to Planning Commission approval." She mentioned that that was how they knew it wasn't a variance situation. She added that the lighting did exceed code, but the Commission could explore the lighting plan as part of their review in that case. She stated that there was a staff review with the applicant and several recommendations were made with requests for additional information, many of which were provided last Friday. She mentioned that they asked for a grading plan, which would be required as part of permit and had pointed out that the initial length, the east-west length of the fields, made it difficult to fit in the Fire Department's required 20 foot emergency access drive, while not getting too close to the property line on the east, so those fields had been reduced in width to 400 feet. She added that additional information had been provided on the fencing and netting. She mentioned that they talked about the need to contain soccer balls and not have them fished out of the lake and protecting the turf which had been identified on plans. She said that the applicants provided a portion of the emergency access drive that was now 20 feet with the T-turnaround at the end. She stated that regarding spectator viewing they indicated that it would be mobile and brought in on a temporary basis as needed. She said that they spent quite a bit of time talking about lighting and that the initial photometric plan just showed the illumination for the soccer turf fields themselves but on Friday they did receive some additional information that showed the broader photometric plan and carried out all

that lighting to 0, they could kind of see the full impacted area of the lighting. She stated that her greatest concern was understanding the impact of lighting but didn't have concerns about the turf fields themselves. She discussed that the lighting could potentially be separated out as a separate issue for being addressed by the Planning Commission and also wanted to point out that staff was aware from previous meetings with Victory Park that they had some other improvements in store potentially later this year or next year that would include additional parking lots and maybe some other additional small structures but those were not before the Commission tonight. She added that they had some urgency in getting the turf fields installed for the playing season.

City Engineer Eavenson stated she did want to elaborate a little that during the engineering permit and review process and wanted to see some additional details in regard to the site plan and the grading plan and how the subsurface system for the new turf fields was going to connect to the existing storm sewer system. She said that engineering had asked for an as-built survey on the two existing turf fields because she believed the current storm sewer shown in the site plan was actually from the 2008's proposed plan and she wanted to if that was really built to plan and to get a little more detail on that to ensure that it was still staying to the overall plan.

Assistant Law Director Morgan stated that she had a question for engineering and asked if all of those concerns were things they should have done that day for Planning Commission approval or were those things that they should do after Planning Commission approval.

City Engineer Eavenson stated that those details could be provided during the engineering review. She discussed that the plans needed to be a little more detailed to include their construction details for their subsurface drainage and how that connected to the existing system and what that existing storm water system or storm sewer system looked like in that area.

Chairman Smolik asked if there was a representative present for the application.

Joe Borky, PMJ Park Holdings, 7777 Victory Park, North Ridgeville, OH 44039.

Joe stated that he the majority owner and managing partner for Victory Park, PMJ Park Holdings, along with Don Mold, Steve Montana, who was a turf installer, and Tony Pallacino, who was their Park Director who were there in support of the project. He discussed what was originally approved as far as the layout of the park for that particular part of the parcel, there were to be five soccer fields across the lake and there were currently four. He stated that they never put in the fifth one because they needed the access drive to Cook Road originally when they put that in because there was no Victory Lane. He stated that they were trying to finish the park and essentially, they wanted to put in that fifth field and convert the 4th field to artificial grass as opposed to natural grass. He stated that there were a lot of things that they would be carrying on with as time went on and they had a huge master plan to continue to finish the facility all the way around, but for that Commission meeting they were focused on those two fields.

Chairman Smolik stated that for the record, there had been quite a few correspondences that came in after the initial Planning Commission member packets. He mentioned that they had received the updated plans for Victory Park that was sent on Friday, March 7th, an updated lighting plan for Victory Park that was March 7th as well, the engineer's recommendation sheet that was March 7th and Monday they received Victory Parks updated planning review which would be, which was administrative staff

comments and then they received an updated staff bulletin that day. He stated that he wanted to make sure the rest of the Commission members understood that there were items that came after the initial member packets. He asked if anyone in the audience had any questions or concerns regarding the project.

None were given.

Mr. Borkey asked if he could comment on the lighting and stated that when they did the light spill ratios and in talking about how it impacted properties outside of theirs at dusk and when it got dark, he stated that it was one foot candle with the light and that once they got to the north there, roughly 40 feet onto the trucker's property, they were at 1 foot candle and from there or anywhere else and all the way around, it was 1 foot candle. He stated that it was barely even at illumination levels that they had at dusk or at twilight, so when they talked about lighting spill or anything of that nature, it was a whole different technology than what was originally on that facility to begin with.

Chairman Smolik stated that they had a lot of information that came in late, especially with the photometrics and he was uncomfortable that night on the photometrics. He asked the applicant what their thoughts were of just going with the development plan that day and then coming back for the photometrics or the lighting plan.

Mr. Borkey stated that it depended on how it impacted the entire go forward strategy with the project and that the problem was that they were getting a lot of pressure from 4Sports as they were consolidating a lot of their sports and they're trying to bring it to Victory Park and it was that kind of option year for them and if they weren't able to get by the Fall the project up and running for them, they were going to be going back out to all the other different places and they might not have this opportunity again for several more years. He said that they were kind of under the gun to try to make that happen at that point.

Chairman Smolik stated that unfortunately the Commission was there to make sure that they felt comfortable with that type installation in the community and from his point of view, the information came in late and he was uncomfortable at that point in time.

Mr. Borkey stated that just to clear, he was uncomfortable that it was less than one foot candle on someone else's property.

Chairman Smolik stated that that was not a traditional photometrics that he would normally see in engineering drawings.

Mr. Borkey stated that it was the lighting spill based off of the engineering calculations, based off of the type of fixtures that were being installed and the type of direction that they were aimed, the type of product, the type of lamps that they were and the rest of that. He stated that it was based on the engineering calculations from the lighting manufacturer as to what that spill would be. He commented that the spill that they were talking about had to be on other people's properties.

Chairman Smolik stated that the exhibit did absolutely nothing for him because he didn't see property lines or anything. He stated that it was just his point of view but as far as the actual field itself, typically on synthetic turf fields they would have 15 feet of run out from their perimeter. He mentioned that their

largest field, in some situations, only had 10 feet of run out and 12 feet of run out and he had some safety concerns. He stated that some of the fences were too close to the field of play, and it didn't meet the traditional size of turf fields. He said that he thought there was too much being jammed in that one spot and it was quite evident in the way that when that asphalt path to try to get the emergency vehicles in, everything shrunk, and he thought it was just too tight for they were planning on doing there. He stated that for example, the eastern run out, and he was scaling it because there was no dimension was only 12 feet, and they had the run out along the center there to that net that was only like 10 feet. He stated that that was not much run out and 15 feet was the industry standard.

Steve Smetana, Field of Play, 3875 Hall Rd. Chardon, Ohio 44024.

Mr. Smetana stated that the north and south sides were about 17 1/2 feet originally and they did have plenty of room on the soccer lines east and west, but then they had softball lines that were slightly beyond that on the west side on the two north and south corners. He discussed that on the east side that they shrunk that down and tried to get away from the lake a little bit more. He stated that currently they didn't have an exact measurement on the new drawing and that was something he would have to look at.

Chairman Smolik asked what their plan was for their storm water retention and water quality.

Don Mould, 34899 Lorain Road, North Ridgeville, OH 44039.

Mr. Mould stated that at that point in time, the existing fields had that quality of control for the storm water and that they talked about that with Christina, and they wanted to make sure they addressed it. He said that the new fields would tie into the old existing system and probably 2/3 of the fields currently were surface shedding to the pond as it always had and that was how it was designed initially when they built it 2008 or 2009. He discussed that they were going to continue to follow that same footprint but what they needed to do for Christina and engineering was validate where everything was going, which would be coming on a master plan later as they did build out plans. He stated that currently they were trying to move forward so that they could get the other plans started to get those guys to get submitted, so that they could get some approvals and try and stay on a timeline. He stated that Joe had told him that it was probably about \$3,000,000 out of pocket and he thought the impact on the area was going to be well worth it. He stated that they needed some kind of commitment from the Commission that it was okay as long as all the other criteria met their criteria, and they could move forward. He stated that they were kind of stopped because they didn't want to spend any more money if it wasn't going to move up. He stated that they could address the lighting and that was not going to be an issue. He asked if they moved forward with everything except the lighting, how long would it take to have everything in hand to get that so they could keep it all moving and asked if it was a month or the next Planning Commission meeting or could they do something in between.

Chairman Smolik stated that those were questions that he didn't know the answers to. He stated that the Commission was a recommending body, and if an approval did come out, it would have to go to City Council and then City Council was the actual official body that would approve it.

Mr. Mould stated that so they had some time but what they were trying to do is contain the window, because they were going to have to engage Bramhall to get the drawings going and he didn't know what the timeline there was but for them to meet their target, which was a Fall start, they were going to push to get it. He stated that they could address the issues, but if they could sort through the issues and get the

things that were ahead of them so that they could continue to move forward. He stated that they were addressing the existing grass fields being turned into artificial because it gave it a capacity to increase the revenue source, and Joe was talking about some leases that were going to go on for some years. He stated that it would be a constant flow of people and by using artificial turf they were going to be able to work more and the season was going to become longer and by doing the softball thing with the turf, there were multiple things going to be going on there and it would enhance the position.

Chairman Smolik asked if the Commission had any questions or comments.

Council Liaison Abens stated that he knew there was fly ash in that area and asked if that all was going to remain intact or if they were going to have to disturb it.

Mr. Mould stated that that was the intent. He discussed that they had some borings that were done that he didn't think were correct, but it was not something that was going to go by the wayside and would be addressed properly. He stated that Lori told them to make sure they didn't let it go by the wayside, and they were aware of that. He said that there was a detail that would be provided for the buildout that reflected how they put piping and if they got into ash. He stated that the field was all over the board because when Lori was reading the boring and it said that there was no dirt over the ash and stated that that wasn't going to work because they couldn't grow grass on the ash. He stated that in some places it might have been 3 feet, and some places it might have been one foot, and it was supposed to be capped uniformly, but it wasn't done that way when whoever did it. He stated that they had to address it as they were moving forward, and they also had a conversation about the way to do the trenches properly from an environmental firm that put it together and they got that cut but those were going forward.

Chairman Smolik stated that from his point of view, that was a development plan, and he had some huge concerns regarding the fact that too much is being jammed in here. He stated that unfortunately all that he could do was vote on what was in front of him and he was extremely uncomfortable with it as well as the lighting.

Mr. Mould stated that if he understood correctly, his issues were the lighting and the configuration of the fields.

Chairman Smolik stated that was correct and that they had chain link fences there that were really close to the field of play.

Mr. Mould stated that he didn't know what the right dimension was supposed to be.

Mr. Borkey stated that it was 15 feet.

Mr. Mould asked if there was a way to adjust those to 15 feet would the get him to be comfortable with the one issue that was kind of hanging.

Chairman Smolik stated that they talked about the east side being less than 15 feet.

Mr. Borkey commented on the lakeside but that was not fence, it was netting on the lakeside. He stated that the whole lakeside was net.

Mr. Mould stated that it was net and not chain link. He stated that the chain link was only north and south.

Mr. Borkey stated that it was only 200 feet in the middle and around 100 feet down either side and across the east and west was all netting.

Mr. Mould stated that there was not a fence where the kids were going to get into it, but it would keep them from getting into the lake.

Chairman Smolik asked if on the exhibit the chain link only was yellow.

Mr. Mould stated that was correct.

Chairman Smolik stated that they still had chain link within 10 feet.

Mr. Mould stated that Mr. Borkey stated that he had it at 15 or better than 15, but if that was an issue of the criteria that they had to address, then they would just make that happen on the drawing.

Mr. Borkey stated that on the north-south they could continue to expand that and could go as far east as they wanted to. He stated that from north-south, they could expand that even further and it didn't really matter at that point. He mentioned that the only thing they were restricted on was the east and west portion of that.

Mr. Mould stated that they had already consolidated the field down to 400 feet from 420, and they shrunk it down to get the access road for the Fire Department and backed it away from the pond a little bit because there was some concern about that.

Chairman Smolik asked where the emergency gates were to enter the fields. He stated that they should have a double gate to have a squad be able to come in and into the field.

Mr. Borkey stated that 100 feet down was still net, 200 feet was fence and the last 100 feet was net and there would be a double gate. He stated that they didn't do all of the detail with the fencing and were just showing the fencing, but they had it all fields that there was a double gate to get in there.

Council Liaison Abens asked if it would be possible to add padding in those areas to protect the players on the chain link.

Chairman Smolik stated that he thought what they acknowledged was that they would minimize the field to obtain the 15 foot run out. He said that he wanted to keep that 15 foot run out on chain link and normal netting, because someone could get caught up in that.

Mr. Mould stated that it would be reflected when it went through engineering for a process for permit and it would not be able to slip through the cracks.

Mr. Borkey stated that they didn't know what was done before they got there in 2011 and didn't know what was or wasn't there at that point. He stated that they did know that nothing was completed, the

irrigation was never completed that this wasn't completed. So the number of things that got connected later on, they had no idea what some of the stuff that ended up into, which they promised to deliver those as-builts. He discussed that that particular one piece on that parcel came to the forefront, which was why they jumped on that so quickly.

Chairman Smolik asked if there was anything else from the Commission.

Member Toth stated that he had a question regarding the access road. He discussed that they You showed a 20-foot access road between turf fields three and four, however, from their parking lot, which was the actual entrance and the connector to that access road, he was looking at that today and there was no way they could get a fire engine down that existing path.

Mr. Borkey stated that when they had the Magic of Lights there is 2016, it literally had truck traffic all the way out to Cook Road through that and a fire engine also maintained that path. He stated that it was the same road that they had that they paved with the City back in 2016-17.

Assistant Law Director Morgan stated that she had a question based on some of their concerns. She asked if it was their intention to suggest that the plan be approved separate from the lighting, did that meet with their requirements and did it make sense for them.

Chairman Smolik stated that point in time, he thought they wanted both and didn't want to separate it and wanted everything together.

Assistant Law Director Morgan asked if a special meeting made more sense for them to come back and try again.

Chairman Smolik stated that they had been talking and in looking at it, he thought maybe to push it a little bit back on the administration regarding that. on this.

Mr. Borkey asked what would help assuage his fear regarding the lighting portion of that.

Chairman Smolik stated that typically a lot of the sports lighting was really good now but he wasn't very familiar with that company. He stated that Tencate was a major turf manufacturer, but he didn't realize they were into lighting. He stated that the sports lighting he was used to was Musco, which was obviously the Cadillac version, and there was a reason they were the Cadillac because just like pharmaceuticals, they put a lot of money in time and research into making sure that their light fixtures had 0 cutoff and they hardly had any light pollution. He stated that an 80-foot light in the air was a big thing for the community.

Mr. Borkey stated that it was the same size as the existing poles.

Chairman Smolik stated that he thought that maybe City Council might want to say hey, those lights needed to be off at a certain point in time and he thought that there needed to be a time when those needed to be off because it was going to be lit up pretty good.

Mr. Borkey commented to keep in mind that the two fields, turf one and two above it, those were the old Hubble lighting actually that was there. He stated that he used to sell it as he was in the electric industry

for 40 years and was pretty confident with much of what he had to say when it came to the lighting portion. He said that the spill from the two existing fields was probably more than they get from the one that were going in over there because of the technology that was back in 2005, six, seven, right, et cetera. He stated that the poles that were suggested on the drawing and the specifics to the LED fixtures that were going in there, they were a lot more specific, a lot less bleed and they were more focused as far as their targets were concerned. He stated that one of their main things that was also on their cut sheet talked about saving your neighbor, because their whole thing is focused on lighting the field of play, not the areas around it.

Council Liaison Abens stated that he grew up around State Road Park in Parma and remembered as far as curfew on the lighting, if that would have been there in Parma, they would have been in trouble a couple of times because of rain and things like that. He mentioned that he heard complaints from neighbors that were along Chestnut Rd. about the lighting over on University Hospital. He stated that his dad worked for General Electric in their lighting division and was one of the guys responsible for lighting the old Cleveland Municipal Stadium and was quite proud of that project. He said that as far as housing and that, there was just not a lot of housing over on Cook Road that he thought would be affected by it.

Mr. Borkey stated that the bulk of the activity there would be soccer, lacrosse and rugby and currently on the other two turf fields, the bulk of what they did we do, the program was done by 10 o'clock. He stated that they kind of had a park rule by 11 for pretty much everything to be off, but usually all the programs were done by 10, unless there is some other extenuating circumstance like some games ran over but it was usually by 11 o'clock and that was weekends and not during the week.

Director Lieber stated that the Planning Commission had a specific authority to approve photometric plans that didn't comply and that staff could not do that, so sadly he could not delegate that authority to them. She mentioned that she and the Engineer were talking and believed that the photometric that showed it carried out to zero, they thought that those were just the proposed new lighting, so the 10 80-footers and the 2 70-footers. She said that it didn't take into account any additional existing lighting to remain on those other turf fields. She stated that there weren't property lines marked on there, but they could kind of see that from the underlying aerial and that there was one house on Cook Road. that had some spill and that while farther away from the park it did get down to down to .2.1, there were some fringe areas of those commercial properties that were substantially higher than point something. She indicated that she was pointing out that it didn't immediately cut off and that one of her concerns would be and what they heard a lot and coming from a town with a lot of car dealerships for residents, might not receive the light in their backyard, but they see the source of the light and that is the thing that they might find irritating. She mentioned that a concern of hers would be that she was not sure how drivers would experience going down Lorain or Cook and would they see the light source or would there be any glare to the driver on the public road system. She added that maybe the answer was no, but she didn't know that from their documentation and that would be a concern. She discussed that she had been told that previously when lighting was installed for the softball fields that people complained over at the drive-in theater that it created too much brightness in the back backdrop, so she was just sensitive of not wanting to create a negative impact to any existing businesses and then have to try and address it afterwards, just trying to make sure that it was installed correctly. She stated that to kind of give them a visual of how high 80 was, in thinking about some of signs on Lorain Road like the Burger King sign or McDonald's sign, at the point those signs were installed, they had a freeway oriented sign allowance of up to 75 feet, so it would be that high or higher and when thinking about the brightness in the sky, that was they can kind of visualize that, which was the reason for my her caution of why to make sure that they knew what they were going to get or how it would impact the surrounding property owners.

Mr. Borkey stated that the other two fields already had eight poles up with the old technology and they were literally right next to them, so he wasn't sure if there was a concern for the streets and any other properties that would have complained when those original ones were built because again, the new ones would not be anywhere near as bright or non-focused as those. He mentioned that it was going to be no worse than what it already is.

Chairman Smolik stated that in getting back to their schedule, he understood that they needed to get the turf order in so that could be manufactured but asked what the hurry was on the lighting.

Mr. Borkey stated that it could be probably 12 to 16 weeks on the lighting and that was if there were no delays, but they were roughly in a 12-week window currently and that was with an order today kind of thing. He stated that they kind of had 16 to 18 weeks is kind of where we're at right now as far as the commitment level from the customer base from Marko Raduka and 4Sports.

Chairman Smolik stated that the lighting was a big issue and as Director Lieber stated they had multiple city right-of-ways out there that were being impacted by it, so they wanted to make sure that it did not interfere with the motoring public and their driving. He said that he was going to ask the question one more time if they wanted to just do the development plan that night and then come back for the lighting.

Mr. Borkey asked if they did split the lighting off to get that further detail, would that slow down the actual start of construction and process.

Chairman Smolik stated that it wouldn't be up to the Commission. He stated that it would be up to them and that they had no idea what their schedule was.

Mr. Borkey asked if they didn't have the approvals yet on lighting, were they allowed to move dirt if the Commission approved everything else that they had at that point.

Chairman Smolik stated that that would be up to the Administration.

City Engineer Eavenson stated that she wanted to see a little more detail in the improvement plans but that if everything looked good, they could move them forward.

Mr. Borkey stated that it was okay, and they could do that.

Chairman Smolik stated that just for clarification, the applicant was withdrawing the lighting plan, and the Commission was just going to be taking a vote on the development plan.

Moved by Smolik and seconded by Toth to approve the development plan with the conditions that the athletic fields would have a 15-foot runout minimum, there would be a double gate to each field for emergency access and compliance with the engineering requirements.

A roll call vote was taken and the motion carried.

Yes – 3 No – 0

**NORTH RIDGEVILLE PLANNING COMMISSION
REGULAR MEETING–TUESDAY, MARCH 11, 2025**

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Council Liaison Abens stated that he had one other comment that if they were looking to limit their liabilities, they needed to tie down the trailer by one of their ball fields. He stated that it was a construction trailer that wasn't tied down. He stated that it would be around turf one.

ADJOURNMENT:

Chairman Smolik adjourned the meeting at 7:47 PM.

James Smolik
Chairman

Tina Wieber
Deputy Clerk of Council

Tuesday, April 8, 2025
Date Approved

DRAFT

CITY OF NORTH RIDGEVILLE WATER USE FOR													February-25		FT3	
DATE	R.L.C.W.A. Rt. 10 & 83		R.L.C.W.A SUGAR RIDGE		RLCWA OTHER	JOINT LINE	ELYRIA WATER PUMP STATION		ELYRIA WATER SUGAR RIDGE		ELYRIA WATER TAYLOR STREET					
	DAILY READING	DAILY USE	DAILY READING	DAILY USE	DAILY USE INVACARE	DAILY	DAILY READING	DAILY * 7.48	DAILY READING	DAILY * 7.48 USE + 00	DAILY READING	DAILY *7.48 USE + 00				
1					7458967		SAT	152	SAT	987	SAT	796				
2							SUN	153	SUN	987	SUN	796				
3					7459100		630507	153	9322347	988	759488	796				
4							630507	0	933269	1035	760277	789				
5							630644	137	934277	1008	761082	805				
6							630644	0	935267	990	761876	794				
7							630786	142	936242	975	762655	779				
8							SAT	157	SAT	988	SAT	775				
9							SUN	157	SUN	988	SUN	775				
10							631257	157	939206	988	764981	776				
11							631257	0	940243	1037	765794	813				
12							631358	101	941222	979	766572	778				
13							631358	0	942185	963	767336	764				
14							631358	0	943214	1029	768148	812				
15							SAT	111	SAT	984	SAT	780				
16							SUN	111	SUN	982	SUN	780				
17							HOL	111	HOL	982	HOL	780				
18							631803	112	947144	982	771269	781				
19							631803	0	948126	982	772025	756				
20							632021	218	944108	982	772945	920				
21							632280	259	950090	982	773575	630				
22							SAT	345	SAT	982	SAT	830				
23							SUN	346	SUN	982	SUN	829				
24							633316	345	953036	982	776063	829				
25							633699	383	954018	982	776879	816				
26							633699	0	955000	982	777653	774				
27							633699	0	956056	1056	778385	732				
28						44352	633699	0	957108	1052	779126	841				
29																
30																
31																
TOTAL					153	44,352,000	3,650	97,507	27,836	743,619	22,026	588409				
					5	1,584,000	2,730,200		20,821,328		16,475,448					
TOTAL RLCWA USE: _____				133 GALLONS 0.01%		TOTAL ELYRIA WATER USE: _____		40,026,976 GALLONS 47.43%		TOTAL JOINT LINE USE _____		84,379,109 100.00%				

Pump Station Total	Sugar Ridge Total	Taylor Street TOTAL
1136.96	7382.76	5954.08
1144.44	7382.76	5954.08
1144.44	7390.24	5954.08
0	7741.8	5901.72
1024.76	7539.84	6021.4
0	7405.2	5939.12
1062.16	7293	5826.92
1174.36	7390.24	5797
1174.36	7390.24	5797
1174.36	7390.24	5804.48
0	7756.76	6081.24
755.48	7322.92	5819.44
0	7203.24	5714.72
0	7696.92	6073.76
830.28	7360.32	5834.4
830.28	7345.36	5834.4
830.28	7345.36	5834.4
837.76	7345.36	5841.88
0	7345.36	5654.88
1630.64	7345.36	6881.6
1937.32	7345.36	4712.4
2580.6	7345.36	6208.4
2588.08	7345.36	6200.92
2580.6	7345.36	6200.92
2864.84	7345.36	6103.68
0	7345.36	5789.52
0	7898.88	5475.36
0	7868.96	6290.68
0	0	0
0	0	0
0	0	0

CITY OF NORTH RIDGEVILLE WATER USE FOR													Gallons
February-25													
DATE	R.L.C.W.A. Rt. 10 & 83		R.L.C.W.A SUGAR RIDGE		RLCWA OTHER	JOINT LINE	ELYRIA WATER PUMP STATION		ELYRIA WATER SUGAR RIDGE		ELYRIA WATER TAYLOR STREET		
	DAILY READING	DAILY USE	DAILY READING	DAILY USE	DAILY USE INVACARE	DAILY	DAILY READING	DAILY * 7.48	DAILY READING	DAILY * 7.48 USE + 00	DAILY READING	DAILY *7.48 USE + 00	Pump Station Total
1					7458967		SAT	113696	SAT	738276	SAT	595408	850446.08
2							SUN	114444	SUN	738276	SUN	595408	856041.12
3					7459100			630507	114444	9322347	739024	595408	856041.12
4								630507	0	933269	774180	590172	0
5								630644	102476	934277	753984	602140	766520.48
6								630644	0	935267	740520	593912	0
7								630786	106216	936242	729300	582692	794495.68
8							SAT	117436		739024	SAT	579700	878421.28
9							SUN	117436		739024	SUN	579700	878421.28
10								631257	117436	939206	739024	580448	878421.28
11								631257	0	940243	775676	608124	0
12								631358	75548	941222	766572	581944	565099.04
13								631358	0	942185	720324	571472	0
14								631358	0	943214	769692	607376	0
15							SAT	83028	SAT	736032	SAT	583440	621049.44
16							SUN	83028	SUN	734536	SUN	583440	621049.44
17							HOL	83028	HOL	734536	HOL	583440	621049.44
18								631803	83776	947144	734536	584188	626644.48
19								631803	0	948126	734536	565488	0
20								632021	163064	944108	734536	688160	1219718.72
21								632280	193732	950090	734536	471240	1449115.36
22							SAT	258060	SAT	734536	SAT	620840	1930288.8
23							SUN	258808	SUN	734536	SUN	620092	1935883.84
24								633316	258060	953036	734536	620092	1930288.8
25								633699	286484	954018	734536	610368	2142900.32
26								633699	0	955000	734536	578952	0
27								633699	0	956056	789888	547536	0
28						44352		633699	0	957108	786896	629068	0
29													0
30													0
31													0
TOTAL					153	44,352,000	3,650	97,507	27,836	743,619	22,026	588409	
					5	1,584,000	2,730,200		20,821,328		16,475,448		
TOTAL RLCWA USE: _____				TOTAL ELYRIA WATER USE: _____				TOTAL JOINT LINE USE		44,352,000 52.56%	TOTAL USE		84,379,109 100.00%
133 GALLONS 0.01%				40,026,976 GALLONS 47.43%									



Water Plant/Distribution System Monthly Operating Report (MOR)

PWS ID*:	OH4700803
Facility ID*:	4755821
Reporting Lab Cert. #:	
Rpt. Month / Year *:	2/2025

Version: 2.0.4
Last Updated: December 28, 2015
NOTE: Begin entering data in row 15
* - Indicates Required Field

Fluoride Compound Applied:		FL Plant Tap Highest Value:	
FL QC Check Sample Date:		Date of Highest Value:	
FL QC Check Sample (Pass/Fail):			

Iron/Manganese QC Laboratory Check Data			
Iron Date:		Mn Date:	
Iron (mg/L):		Mn (mg/L):	

[illegible]



Water Plant/Distribution System Monthly Operating Report (MOR)

Chlorine QOR Data	
Chlorine Residual (Total)	
No. of RT & RP Samples	Avg. Value (mg/L)
30	1.26

Date *							Distribution										Comments	
	Chlorine Dioxide (mg/L)	Exceed	Chlorite (mg/L)	Exceed	Chlorine Residual (Free) (mg/L)	Chlorine Residual (Combined) (mg/L)	Lowest		Chlorite / Chlorine Dioxide (mg/L)									
							Chlorine Residual (Free) (mg/L)	Chlorine Residual (Combined) (mg/L)	Chemical		Type		FIRST CUSTOMER (FC)			Residence Time in Distribution		
									Chlorit e	ClO ₂	Routin e	Follow up	-0-hrs	+ 6 hrs	+ 12 hrs	Avg (AT)		Max (AT)
2/1/2025							0.53	0.17										Brian E. O'Grady,WD2-1018620-02,0700,1100,4,WD2-1018620-02
2/2/2025							0.57	0.18										02,0700,1100,4,WD2-1018620-02
2/3/2025							1.24	0.16										02,0700,1100,4,WD2-1018620-02
2/4/2025							1.20	0.18										02,0700,1100,4,WD2-1018620-02
2/5/2025							1.18	0.26										02,0700,1100,4,WD2-1018620-02
2/6/2025							1.12	0.16										02,0700,1100,4,WD2-1018620-02
2/7/2025							1.08	0.16										Brian E. O'Grady,WD2-1018620-02,0700,1100,4,WD2-1018620-02
2/8/2025							1.40	0.35										02,0700,1100,4,WD2-1018620-02
2/9/2025							1.47	0.35										02,0700,1100,4,WD2-1018620-02
2/10/2025							0.98	0.21										02,0700,1100,4,WD2-1018620-02
2/11/2025							0.88	0.21										02,0700,1100,4,WD2-1018620-02
2/12/2025							1.01	0.20										02,0700,1100,4,WD2-1018620-02
2/13/2025							1.12	0.22										02,0700,1100,4,WD2-1018620-02
2/14/2025							1.08	0.21										02,0700,1100,4,WD2-1018620-02
2/15/2025							0.55	0.15										02,0700,1100,4,WD2-1018620-02
2/16/2025							0.60	0.13										02,0700,1100,4,WD2-1018620-02
2/17/2025							0.58	0.14										02,0700,1100,4,WD2-1018620-02
2/18/2025							1.40	0.33										02,0700,1100,4,WD2-1018620-02
2/19/2025							1.40	0.41										02,0700,1100,4,WD2-1018620-02
2/20/2025							0.90	0.24										02,0700,1100,4,WD2-1018620-02
2/21/2025							1.04	0.23										02,0700,1100,4,WD2-1018620-02
2/22/2025							1.49	0.12										02,0700,1100,4,WD2-1018620-02
2/23/2025							1.19	0.38										02,0700,1100,4,WD2-1018620-02
2/24/2025							1.14	0.07										02,0700,1100,4,WD2-1018620-02
2/25/2025							1.15	0.10										02,0700,1100,4,WD2-1018620-02
2/26/2025							1.20	0.15										02,0700,1100,4,WD2-1018620-02
2/27/2025							0.86	0.28										02,0700,1100,4,WD2-1018620-02
2/28/2025							0.99	0.31										02,0700,1100,4,WD2-1018620-02
																		02,0700,1100,4,WD2-1018620-02
																		02,0700,1100,4,WD2-1018620-02
																		02,0700,1100,4,WD2-1018620-02
Min.							0.53	0.07										
Max.							1.49	0.41										
Avg.							1.05	0.22										
Total																		



FIRE DEPARTMENT MONTHLY REPORT SEPTEMBER 2024

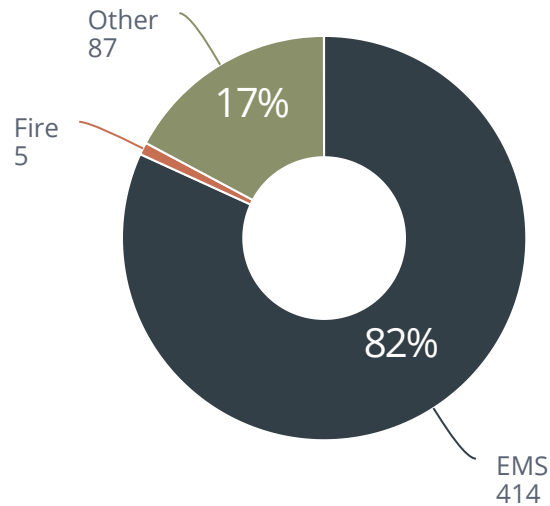


Overall Incident Statistics - Sept. 2024

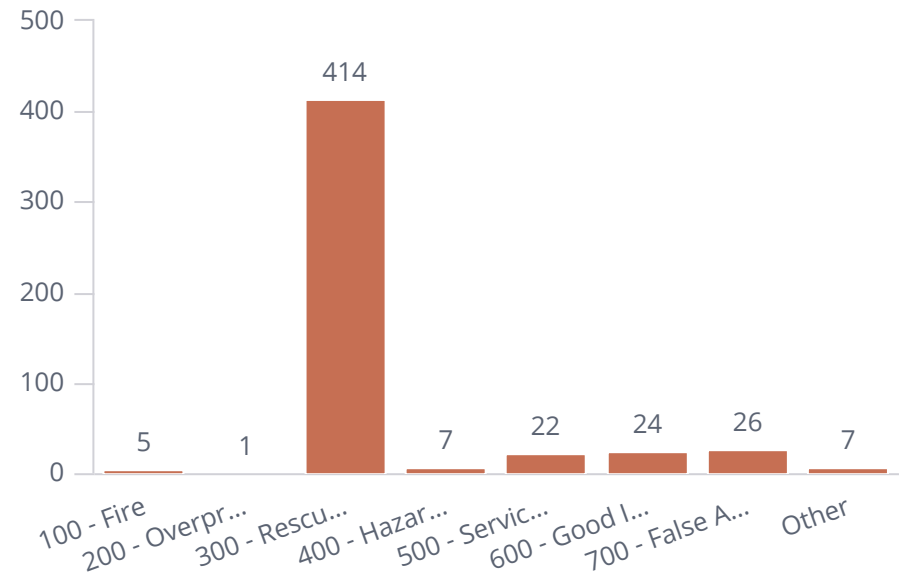
Count of Total Incidents

Count of Incidents
506

EMS/Fire Incident Breakdown



Count of Incidents by Incident Type



Mutual Aid Given
10

Mutual Aid Received
8

INCIDENT LOSS VALUE - PROPERTY

Total Estimated Property Loss

\$22,000

INCIDENT LOSS VALUE - CONTENTS

Total Estimated Content Loss

\$3,100

LIGHTS AND SIREN - AVERAGE RESPONSE TIME - FIRE

Station	Incident Type Group	Average Response Time Alarm To Arrival
North Ridgeville FD Station 1	100 - Fire	00h:08m:00s
North Ridgeville FD Station 2	100 - Fire	00h:09m:29s

LIGHTS AND SIREN - AVERAGE RESPONSE TIME- EMS

Station	Incident Type Group	Average Response Time Alarm To Arrival
North Ridgeville FD Station 1	300 - Rescue & EMS	00h:07m:21s
North Ridgeville FD Station 2	300 - Rescue & EMS	00h:08m:17s

LIGHTS AND SIREN - AVERAGE TURN OUT TIME EMS

Apparatus Type	Incident Type Group	Average Unit Turnout Time
ALS unit	300 - Rescue & EMS	00h:01m:48s
Engine	300 - Rescue & EMS	00h:01m:32s
Truck or aerial	300 - Rescue & EMS	00h:01m:07s

LIGHTS AND SIREN - AVERAGE TURN OUT TIME FIRE

Apparatus Type	Incident Type Group	Average Unit Turnout Time
ALS unit	100 - Fire	00h:00m:05s
Chief officer car	100 - Fire	00h:03m:42s
Engine	100 - Fire	00h:02m:04s
Support apparatus, other	100 - Fire	00h:00m:04s

Average Time On Scene: **00h:30m:07s**

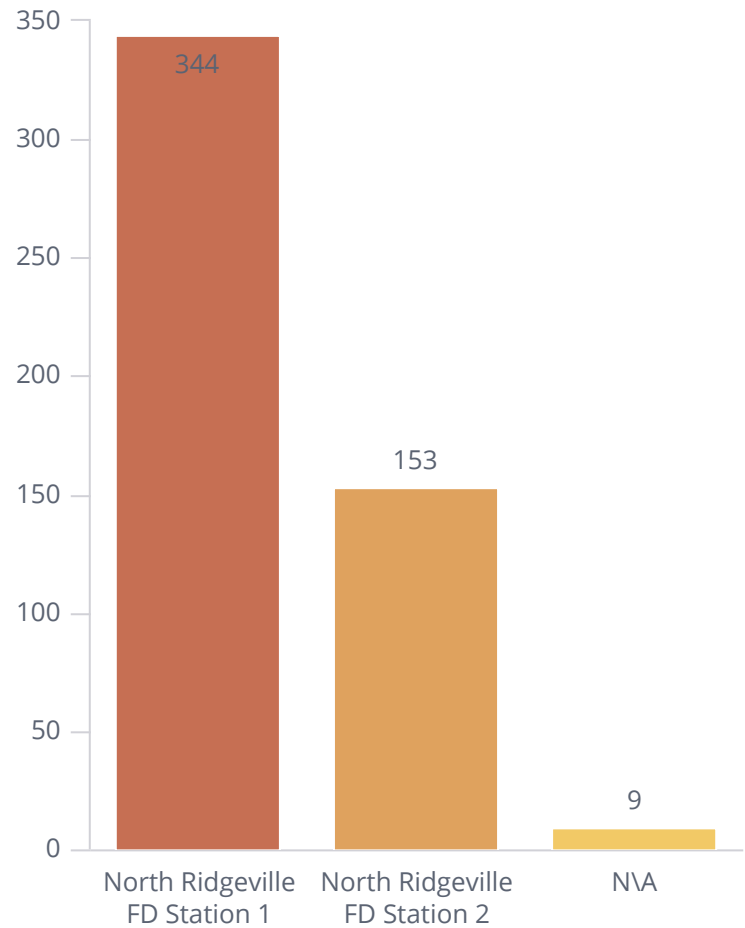


FIRE/RESCUE SERVICES DATA

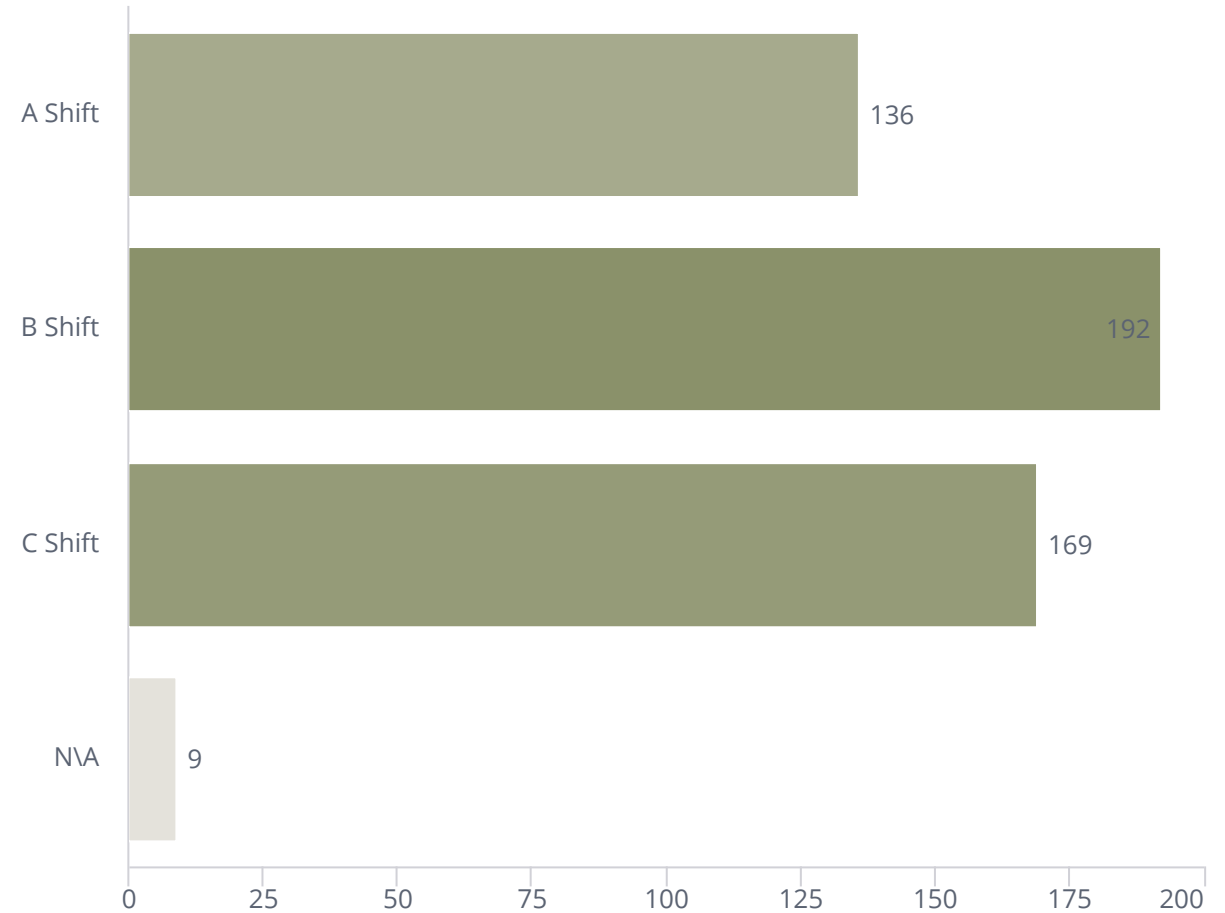


Fire Incident Count

Incident Count by Station



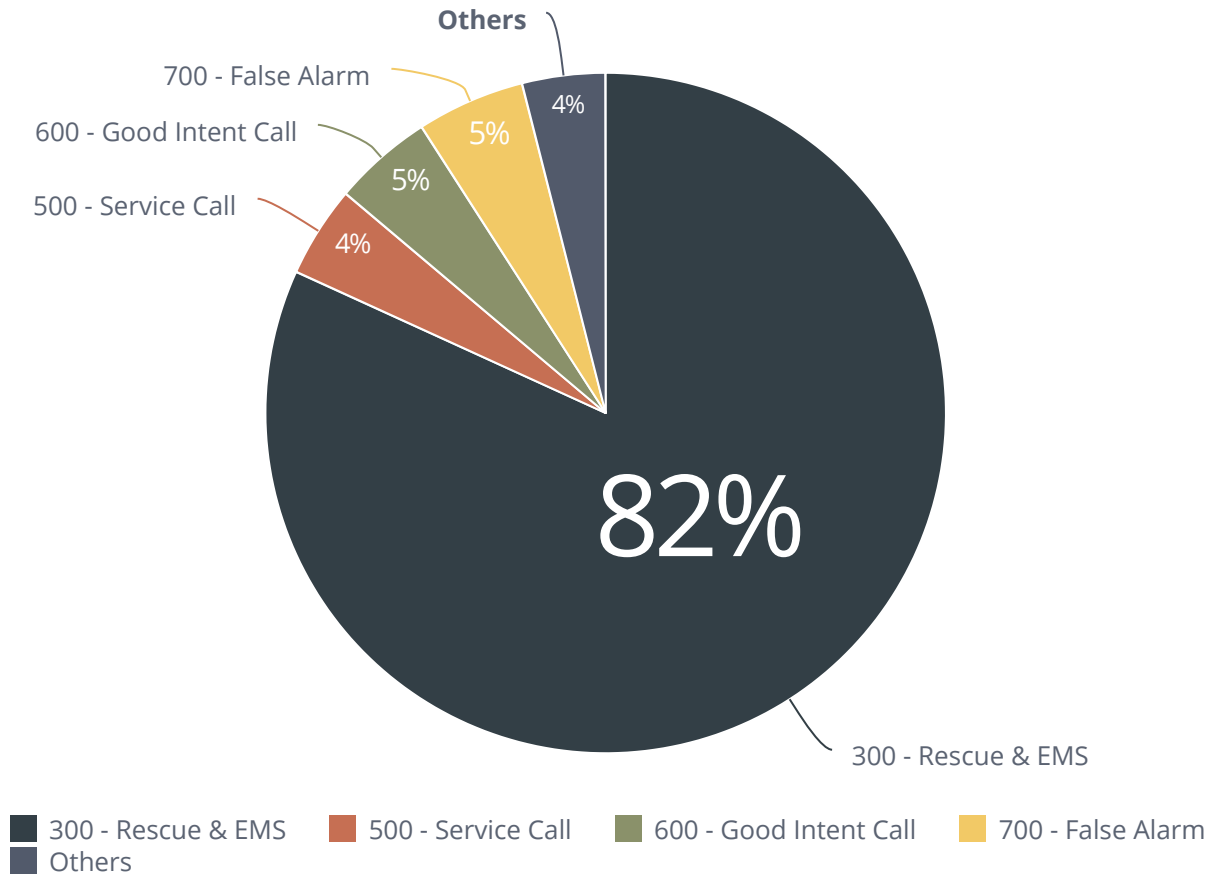
Incident Count by Shift



Count of Incident Responses

Station	Shift 	Count of Incidents
		2024
North Ridgeville FD Station 1	A Shift	95
	B Shift	136
	C Shift	113
North Ridgeville FD Station 1 Total		344
North Ridgeville FD Station 2	A Shift	41
	B Shift	56
	C Shift	56
North Ridgeville FD Station 2 Total		153
N/A	N/A	9
Grand Total		506

Percent of Incident Responses by Incident Type

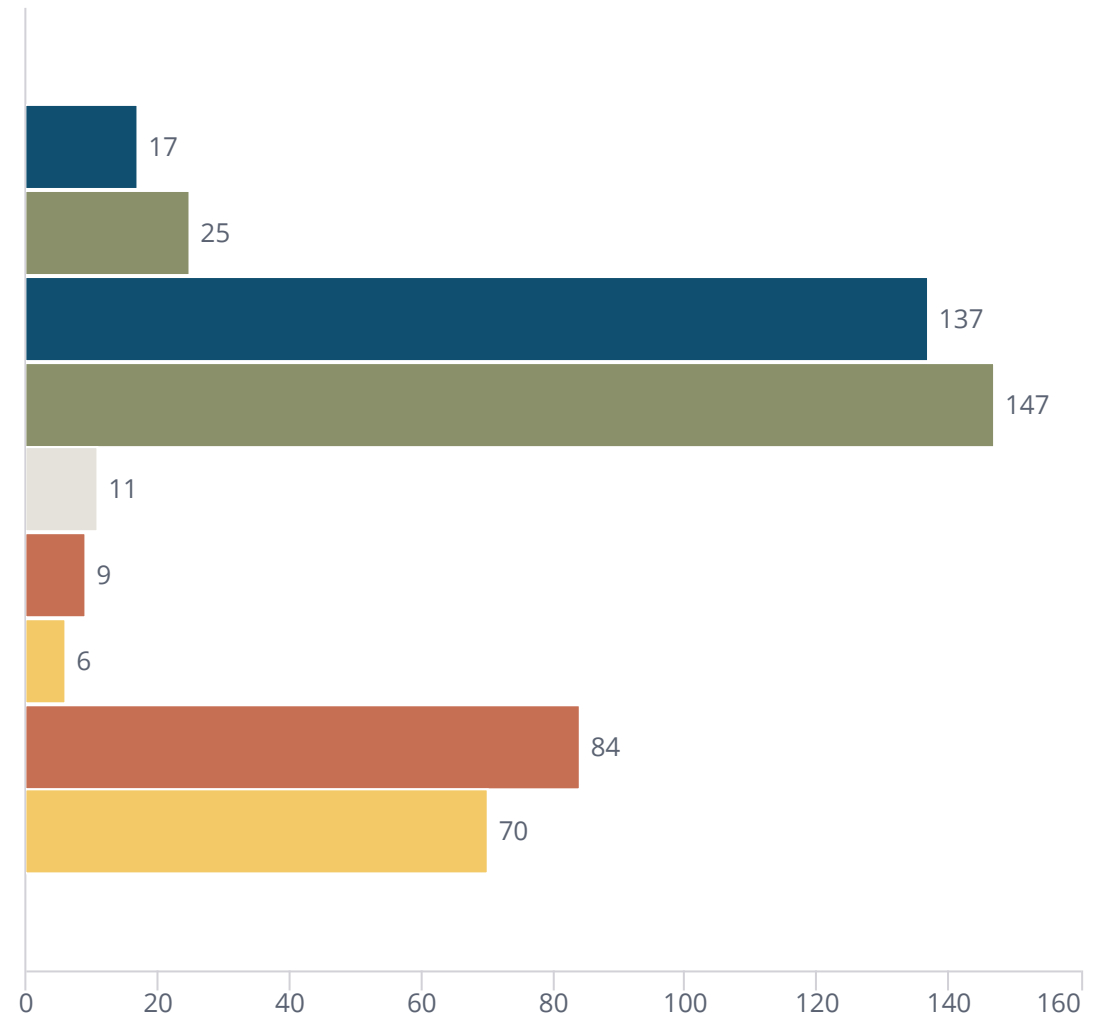


Incidents by Zone for Date Range

Start Date: 09/01/2024 | End Date: 09/30/2024

District	# of Incidents
North East Quadrant	17
North West Quadrant	25
Northeast	137
Northwest	147
Out of District	11
South East Quadrant	9
South West Quadrant	6
Southeast	84
Southwest	70
# of Incidents	506

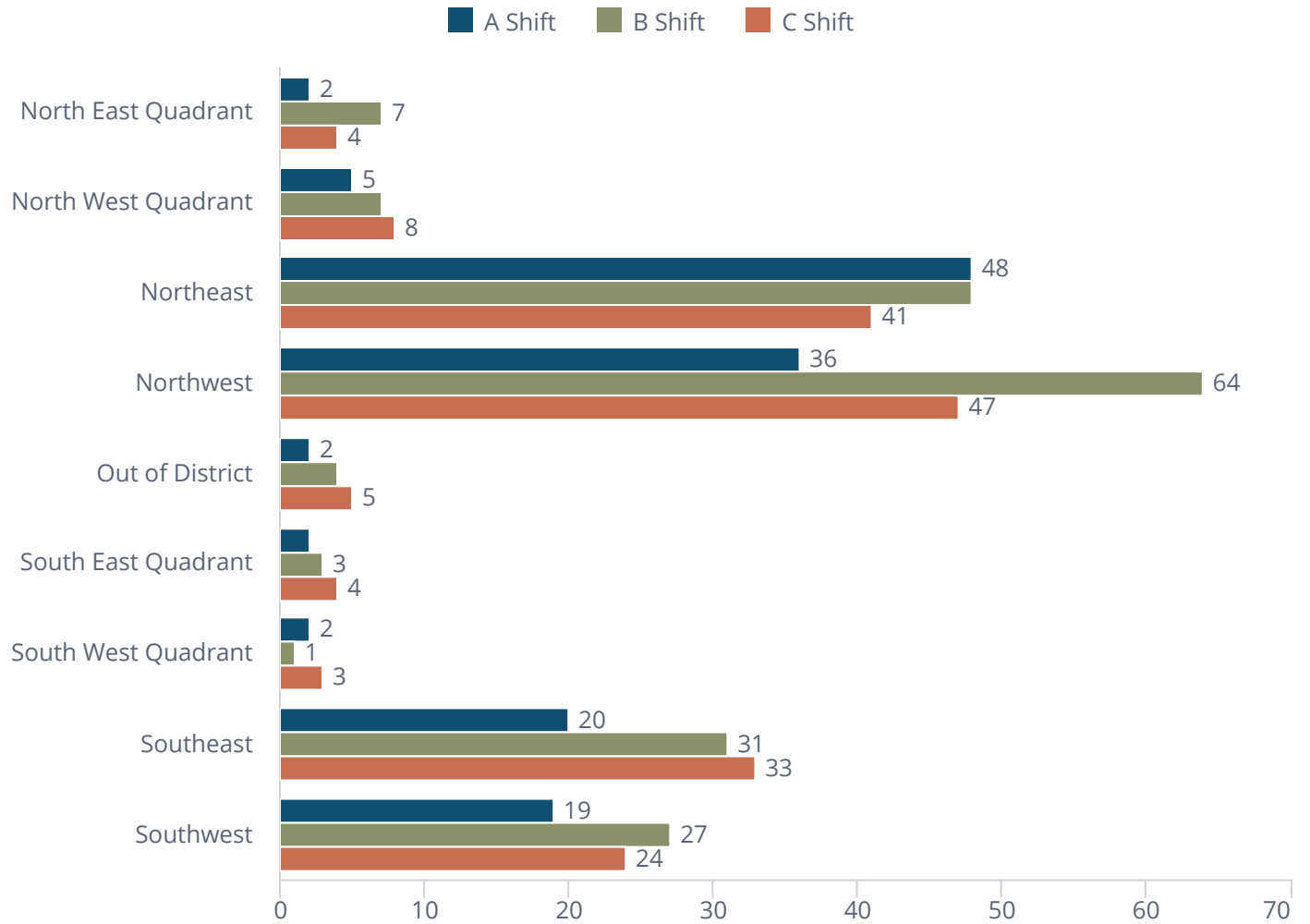
North East Quadrant
North West Quadrant
Northeast
Northwest
Out of District
South East Quadrant
South West Quadrant
Southeast
Southwest



Incidents by Zone per Shift for Date Range

Start Date: 09/01/2024 | End Date: 09/30/2024

Shift	District 	# of Incidents
A Shift	North East Quadrant	2
	North West Quadrant	5
	Northeast	48
	Northwest	36
	Out of District	2
	South East Quadrant	2
	South West Quadrant	2
	Southeast	20
	Southwest	19
B Shift	North East Quadrant	7
	North West Quadrant	7
	Northeast	48
	Northwest	64
	Out of District	4
	South East Quadrant	3
	South West Quadrant	1
	Southeast	31
	Southwest	27
C Shift	North East Quadrant	4
	North West Quadrant	8
	Northeast	41
	Northwest	47
	Out of District	5
	South East Quadrant	4
	South West Quadrant	3
	Southeast	33
	Southwest	24
N/A	North East Quadrant	4
	North West Quadrant	5
# of Incidents		506



Incident Type Count per Station for Date Range 09/01/2024 - 09/30/2024

Station	Incident Type	# of Incidents
North Ridgeville FD Station 1	Alarm system activation, no fire - unintentional	2
	Alarm system sounded due to malfunction	2
	Assist invalid	3
	Assist police or other governmental agency	1
	Building fire	1
	Carbon monoxide detector activation, no CO	2
	CO detector activation due to malfunction	1
	Detector activation, no fire - unintentional	1
	Dispatched & canceled en route	16
	Electrical wiring/equipment problem, other	1
	EMS call, excluding vehicle accident with injury	278
	False alarm or false call, other	1
	Fireworks explosion (no fire)	1
	Gas leak (natural gas or LPG)	2
	Gasoline or other flammable liquid spill	1
	Grass fire	1
	HazMat release investigation w/no HazMat	1
	Motor vehicle accident with injuries	6
	Motor vehicle accident with no injuries.	1
	No incident found on arrival at dispatch address	1
	Passenger vehicle fire	1
	Power line down	1
	Public service	6
	Public service assistance, other	1
	Smoke detector activation due to malfunction	7
	Smoke detector activation, no fire - unintentional	1
	Smoke or odor removal	1
	Smoke scare, odor of smoke	1
	Unauthorized burning	1
	Unintentional transmission of alarm, other	1
North Ridgeville FD Station 1 Total		344
North Ridgeville FD Station 2	Alarm system sounded due to malfunction	1
	Assist invalid	4
	Carbon monoxide detector activation, no CO	1
	Chemical spill or leak	1

Incident Type Count per Station for Date Range 09/01/2024 - 09/30/2024

Station	Incident Type	# of Incidents
North Ridgeville FD Station 2	CO detector activation due to malfunction	2
	Emergency medical service incident, other	1
	EMS call, excluding vehicle accident with injury	119
	Forest, woods or wildland fire	1
	Gas leak (natural gas or LPG)	1
	Grass fire	1
	Motor vehicle accident with injuries	5
	Motor vehicle accident with no injuries.	2
	No incident found on arrival at dispatch address	4
	Public service	5
	Smoke detector activation due to malfunction	2
	Unintentional transmission of alarm, other	2
	Wrong location	1
North Ridgeville FD Station 2 Total		153
N/A	EMS call, excluding vehicle accident with injury	2
	N/A	7
N/A Total		9
# of Incidents		506

Average Response Time

Fire Incidents: **5**

EMS Incidents: **414**

Other (Excluding Mutual Aid): **70**

Fire - Response Time

Fire - Response Time

EMS - Response Time

EMS - Response Time

90th Percentile: **10m:23s**

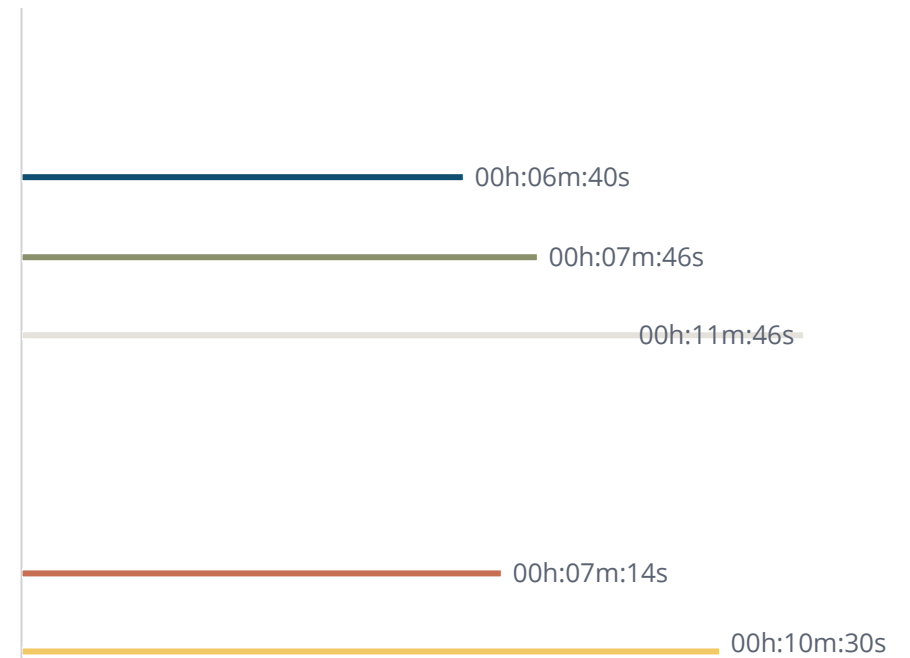
NRFD: **08m:55s**

90th Percentile: **10m:59s**

NRFD: **07m:25s**

District	Average Response Time Dispatch Notified to Arrival
North East Quadrant	
North West Quadrant	
Northeast	00h:06m:40s
Northwest	00h:07m:46s
Out of District	00h:11m:46s
South East Quadrant	
South West Quadrant	
Southeast	00h:07m:14s
Southwest	00h:10m:30s

■ North East Quadrant
■ North West Quadrant
■ Northeast
■ Northwest
■ Out of District
■ South East Quadrant
■ South West Quadrant
■ Southeast
■ Southwest



Mutual Aid Report for Date Range

Start Date: 09/01/2024 | End Date: 09/30/2024

Mutual Aid Received
8

Incident Number 	Incident Type Code	Incident Type	Aiding Agency Name 
20243815	321	EMS call, excluding vehicle accident with injury	Eaton Twp.
20243880	111	Building fire	Avon
			North Olmsted
			Olmsted Twp.
			Westlake
20243881	321	EMS call, excluding vehicle accident with injury	Avon
20243970	744	Detector activation, no fire - unintentional	Avon
20243993	322	Motor vehicle accident with injuries	Avon
20244007	321	EMS call, excluding vehicle accident with injury	North Olmsted
20244122	141	Forest, woods or wildland fire	Eaton Twp.
			Olmsted Twp.
3816	321	EMS call, excluding vehicle accident with injury	N/A

Mutual Aid Given
10

Incident Number	Incident Type Code	Incident Type	Aided Agency 
20243882	611	Dispatched & canceled en route	Avon
20243901	611	Dispatched & canceled en route	Avon
20244113	611	Dispatched & canceled en route	Avon
20244222	611	Dispatched & canceled en route	Avon
20244097	321	EMS call, excluding vehicle accident with injury	Avon Lake
20244126	611	Dispatched & canceled en route	Avon Lake
20244087	324	Motor vehicle accident with no injuries.	Eaton Twp.
20243948	322	Motor vehicle accident with injuries	North Olmsted
20244112	321	EMS call, excluding vehicle accident with injury	North Olmsted
20244131	611	Dispatched & canceled en route	Westlake

Overlapping Fire Incidents

Oldest Date	9/1/2024
Newest Date	9/30/2024
Overlapping Incidents	190
Total Incidents	506
Percent of Calls Overlapping	38%

Structure Fire Incidents

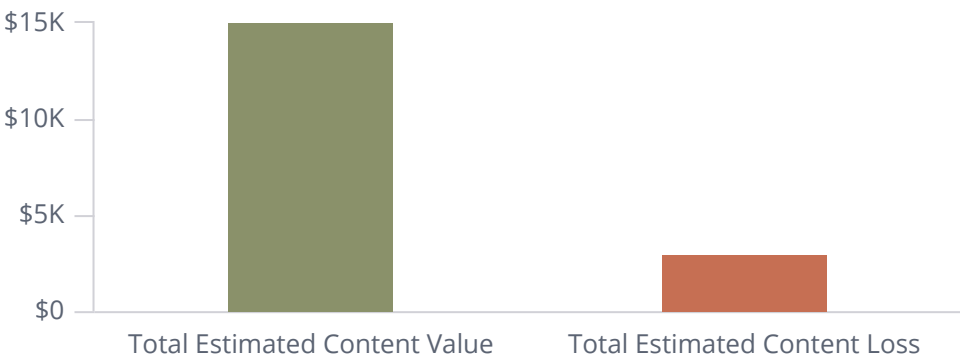
Count of Structure Fire Incidents

Working Structure Fires: 1

Property Value/Loss



Content Value/Loss



Median Property Loss

Estimated Property Loss: **\$20,000**

Median Contents Loss

Estimated Contents Loss: **\$3,000**

Incident Number	Time in Alarm DateTime	Estimated Property Loss	Estimated Property Value	Estimated Content Loss	Estimated Content Value
20243880	09/05/2024 16:40:48	\$20,000	\$60,000	\$3,000	\$15,000



EMERGENCY MEDICAL SERVICES DATA





Agency Activity Summary

North Ridgeville Fire Dept

Agency: North Ridgeville Fire Dept | Service Date: From 09/01/2024 Through 09/30/2024

Total Number of ePCRs: 371

Total Number of Incidents: 370

By Branch

01 Station 1 = 257

02 Station 2 = 113

99 TRAINING = 1

Billing Disposition (ePCR Data Only)

	#	%		#	%
Treated/Transported	299	80.6%	Dead Prior To Arrival	2	0.5%
Treated / Transferred Care	1	0.3%	Dead After Arrival	2	0.5%
Treated/No Transport (AMA)	27	7.3%	Treat/Transported by Private Veh.	N/A	N/A
Treated / No Transport (Per Protocol)	20	5.4%	Assist	7	1.9%
Transported / Refused Care	N/A	N/A	Other	5	1.3%
No Transport / Refused Care	7	1.9%	No Patient Found	N/A	N/A
Cancelled	1	0.3%			
Left Blank	N/A	N/A			

Unit Disposition (ePCR Data Only)

Description	#	%
No Patient Found	1	0.3%
Non-Patient Incident (Not Otherwise Listed)	8	2.2%
Patient Contact Made	362	97.6%
Left Blank	0	0.0%
Total	371	100.0%

Patient Evaluation/Care Disposition (ePCR Data Only)

Description	#	%
Not Applicable	9	2.4%
Patient Evaluated and Care Provided	348	93.8%
Patient Evaluated, No Care Required	7	1.9%
Patient Refused Evaluation/Care	7	1.9%
Left Blank	0	0.0%
Total	371	100.0%

Crew Disposition (ePCR Data Only)

Description	#	%
Back in Service, Care/Support Services Refused	7	1.9%
Back in Service, No Care/Support Services Required	15	4.0%
Incident Support Services Provided (Including Standby)	1	0.3%
Initiated Primary Care and Transferred to Another EMS	1	0.3%
Crew		
Initiated and Continued Primary Care	347	93.5%
Left Blank	0	0.0%
Total	371	100.0%

Transport Disposition (ePCR Data Only)

Description	#	%
No Transport	35	9.4%
Not Applicable	9	2.4%
Patient Refused Transport	27	7.3%
Transport by Another EMS Unit	1	0.3%
Transport by This EMS Unit (This Crew Only)	38	10.2%
Transported by Vehicle to LZ	261	70.4%
Left Blank	0	0.0%
Total	371	100.0%

Run Type	#	%		#	%
Emergency Runs	371	100.0%	Non-Emergency Runs	N/A	N/A
Stand By	N/A	N/A	Stand By	N/A	N/A
Mutual Aid	2	0.5%	Mutual Aid	N/A	N/A
Interfacility	N/A	N/A	Interfacility	N/A	N/A
Intercept	N/A	N/A	Intercept	N/A	N/A
Emergency Runs (Scheduled)	N/A	N/A	Non-Emergency Runs (Scheduled)	N/A	N/A
Stand By	N/A	N/A	Stand By	N/A	N/A
Mutual Aid	N/A	N/A	Mutual Aid	N/A	N/A
Interfacility	N/A	N/A	Interfacility	N/A	N/A
Intercept	N/A	N/A	Intercept	N/A	N/A

Emergency Type Left Blank: 0

Runs by Unit (ePCR Data Only)

Unit	Total Runs	Treat/Transp	Treat/Transfer	Treat/No Transp(AMA)	Treat/No Transp(PP)	Transp/Ref. Care	Cancelled	Dead Prior Arr	Dead After Arr	T/T Priv Veh	No Trans/Ref. Care	Assist	Other	No Pat. Found
NRE21	1	0	1	0	0	0	0	0	0	0	0	0	0	0
NRE22	1	0	0	0	0	0	0	0	0	0	1	0	0	0
NRM25	128	108	0	9	5	0	0	0	1	0	2	2	1	0
NRM26	113	87	0	7	5	0	1	1	1	0	4	3	4	0
NRM27	31	23	0	3	4	0	0	0	0	0	0	1	0	0
NRM28	97	81	0	8	6	0	0	1	0	0	0	1	0	0
Total	371	299	1	27	20	0	1	2	2	0	7	7	5	0

Runs by Service Level (ePCR Data Only)

Dispatched Service Level	#	%	Recommended Service Level	#	%
BLS	371	100.0%	BLS	96	25.9%
ALS	N/A	N/A	ALS1	270	72.8%
SCT	N/A	N/A	ALS2	5	1.3%
			SCT	N/A	N/A
			Rotary Wing	N/A	N/A
			Fixed Wing	N/A	N/A

Runs by Insurance Type with Service Level (ePCR Data Only) (Multiple

insurance types may have been marked on a run)

Type	BLS	%	ALS1	%	ALS2	%	SCT	%Rotary Wing	%Fixed Wing	%	Total	%
None	96	25.9%	270	72.8%	5	1.3%	N/A	N/A	N/A	N/A	371	100.0%

Runs by Primary PI (ePCR Data Only)

Description	#	%
ABNORMAL LABS	3	0.8%
ALCOHOL ABUSE WITH INTOXICATION	5	1.3%
Abdominal Pain	8	2.2%
Airway Obstruction	2	0.5%
Alt. Level Conscious	18	4.9%
Altered mental status	15	4.0%
Anxiety	6	1.6%
Back Pain (No Trauma)	7	1.9%
Behavioral Disorder	6	1.6%
COVID-19 (SUSPECTED)	6	1.6%
CVA/Stroke	4	1.1%
Cardiac Arrest	5	1.3%
Cardiac Symptoms	6	1.6%
Chest Pain	18	4.9%
Dehydration Symp.	3	0.8%
Diabetic Symptoms	8	2.2%
Dizziness	9	2.4%
Dyspnea-SOB	20	5.4%

Elevated Temp/Fever	1	0.3%
Eye Symp.(no trauma)	1	0.3%
FREQUENT FALLS	18	4.9%
Flu Symptoms	4	1.1%
GI -Bleed	1	0.3%
GI -Constipation	2	0.5%
GI -Diarrhea	1	0.3%
HYPOTENSION	2	0.5%
Headache (no trauma)	2	0.5%
Hypertension	5	1.3%
MEDICAL DEVICE FAILURE	3	0.8%
MINOR / GENERAL INJURY	22	5.9%
Monitoring Required	10	2.7%
NON-TRAUMATIC LEG PAIN	6	1.6%
Nausea	3	0.8%
No Medical Problem	20	5.4%
Nose Bleed	1	0.3%
Obvious Death	3	0.8%
Pneumonia Symptoms	1	0.3%
Poisoning	1	0.3%
Post-Op Complication	2	0.5%
Psychiatric Emerg.	12	3.2%
SEPSIS	3	0.8%
SUICIDE ATTEMPT	2	0.5%
Seizure	4	1.1%
Syncope/Fainting	7	1.9%
Trauma Injury	20	5.4%
Unconscious	2	0.5%
Unknown Medical	10	2.7%
Urinary Bleeding	1	0.3%
Urination Problem	4	1.1%
Vomiting	3	0.8%
Vomiting Blood	2	0.5%
Weakness	27	7.3%
<i>Left Blank</i>	16	4.3%
<i>Total</i>	371	100.0%

Runs by Dispatch (EMD) Code

<u>Description</u>	<u>#</u>	<u>%</u>
01A01 Abdominal Pain	10	2.7%
02B01 Allergies/Envenomations	1	0.3%
05A01 Back Pain (Non-traumatic)	8	2.2%
06E01 Breathing Problems	33	8.9%
07B02 Burns/Explosions	1	0.3%
09E02 Cardiac or Respiratory Arrest/Death	5	1.3%
10D01 Chest Pain/ Chest Discomfort	26	7.0%
11E01 Choking	2	0.5%
12C01 Convulsions/Seizures	5	1.3%
13C02 Diabetic Problems	11	3.0%
17B03 Falls	85	22.9%
19C07 Heart Problems/AICD	2	0.5%
21B01 Hemorrhage/Laceration	1	0.3%
23C07 Overdose/Poisoning	1	0.3%
25B06 Psychiatric/Abnormal Behavior/Suicide Attempt	24	6.5%
26B01 Sick Person (Specific Diagnosis)	100	27.0%
28C12 Stroke (CVA/TIA)	8	2.2%
29B05 Traffic/Transportation Incident	7	1.9%
30B01 Traumatic Injuries	8	2.2%
31C01 Unconscious/Fainting	9	2.4%
32B01 Unknown Problem	17	4.6%
32B02 Medical Alarm	1	0.3%
37A01 Other / Public Assist	6	1.6%
<i>Left Blank</i>	0	0.0%
<i>Total</i>	371	100.0%

Transport From (Category)

	<u>#</u>	<u>%</u>
Home/Residence	189	50.9%
Res. Custodial Facility	2	0.5%
Facility	4	1.1%
Public Building	3	0.8%
Street/Hwy	9	2.4%
Industrial Place	1	0.3%
Other	4	1.1%
Home/Residence - Single-Family House	42	11.3%
Home/Residence - Mobile Home	5	1.3%
Home/Residence - Apartment	5	1.3%
Res. Custodial Facility - Nursing Home	81	21.8%
Street/Hwy - Other Paved Roadways	4	1.1%
Private Commercial Establishment	12	3.2%
Facility - Ambulatory Surgery Center	2	0.5%
Facility - Health Care Provider Office	4	1.1%
Industrial Place - Factory	2	0.5%
Recreation/Sport - Public Park	1	0.3%
Facility - Urgent Care	1	0.3%
<i>Total</i>	371	100.0%

Transport From (Facility) (ePCR Data Only)

	<u>#</u>	<u>%</u>
--Left Blank--	371	100.0%
<i>Total</i>	371	100.0%

Transport To (Destination Facility) (ePCR Data Only)

	<u>#</u>	<u>%</u>
UH - ST JOHN MEDICAL CENTER	164	44.2%
--Left Blank--	72	19.4%
Avon Richard E. Jacobs Health Center	66	17.8%
UH - ELYRIA MEDICAL CENTER	62	16.7%
CCF - Fairview	4	1.1%
Southwest General Health Center	2	0.5%
Mercy Regional Medical Center	1	0.3%
<i>Total</i>	371	100.0%



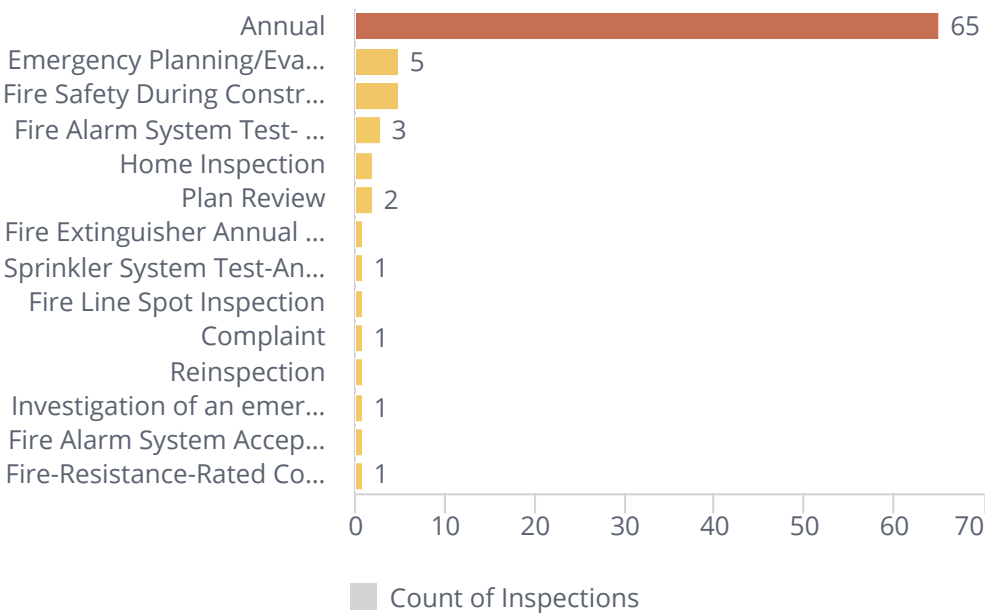
FIRE PREVENTION INSPECTION REPORT



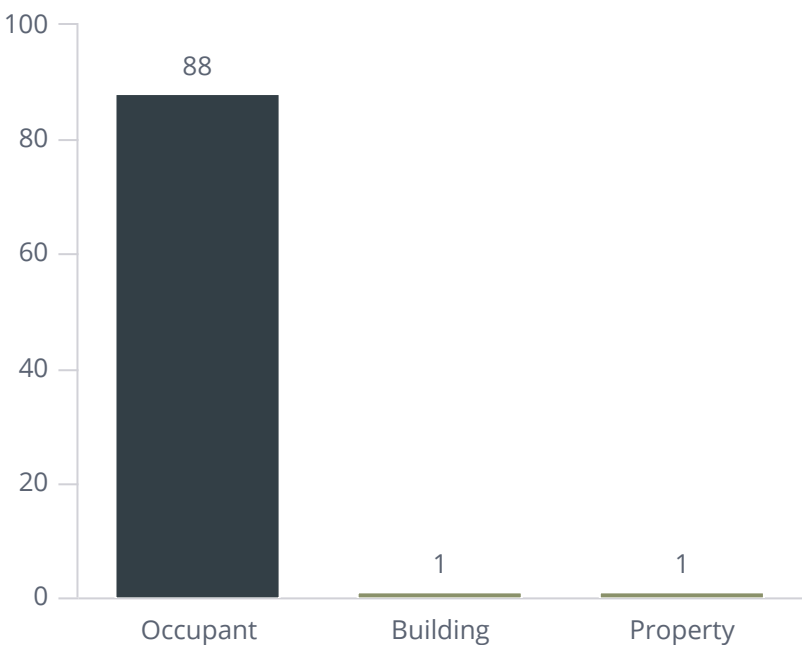
List of Inspections

Inspection Number: **90**

Count of Inspections by Inspection Type

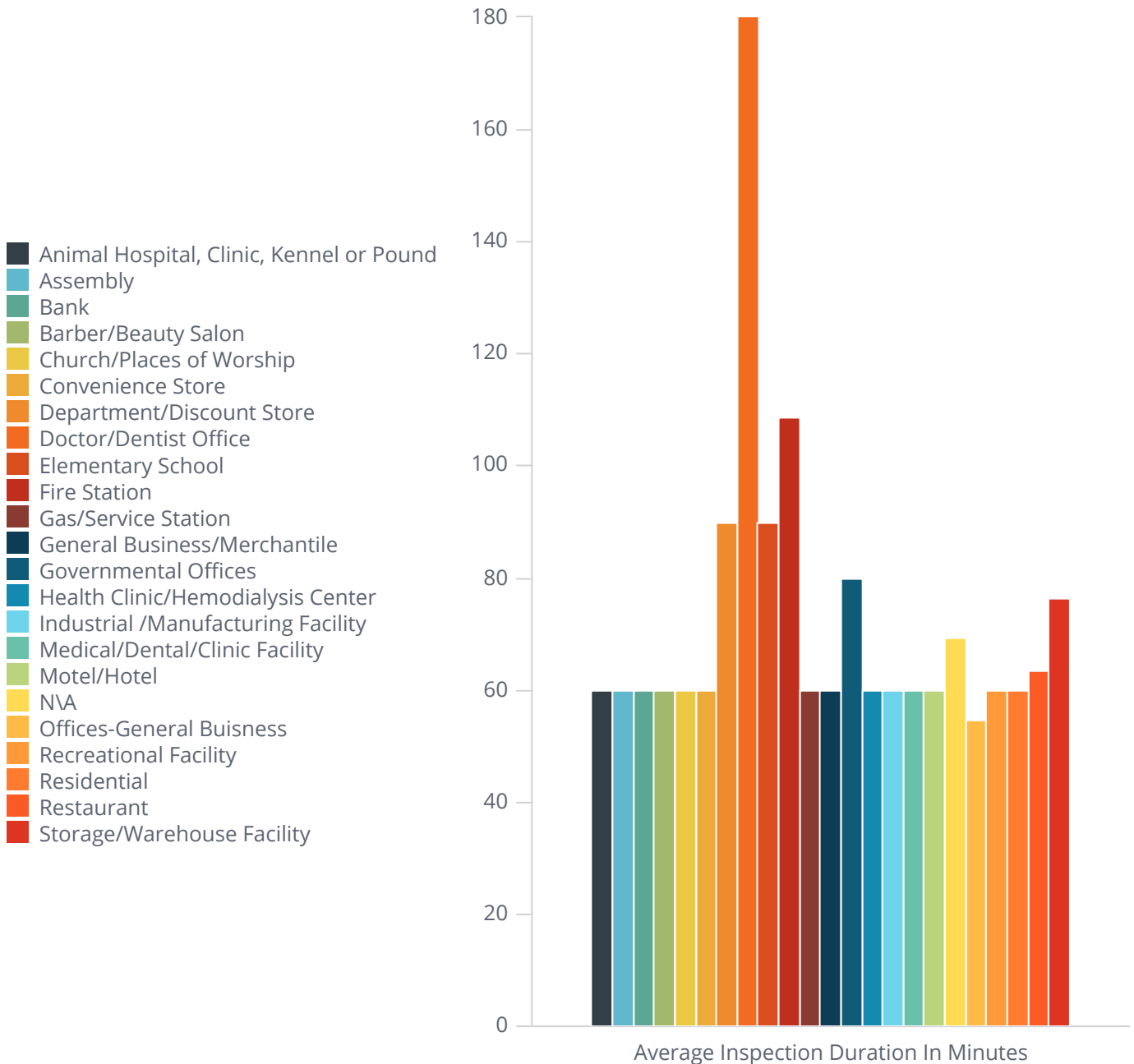


Count of Inspections by Inspection Property Classification



List of Inspections

Average Inspection Time for Occupancy Type



Property Classification	Occupant Local Occupancy Class	Total Inspection Duration In Minutes
Occupant	Animal Hospital, Clinic, Kennel or Pound	120
	Assembly	480
	Bank	180
	Barber/Beauty Salon	120
	Church/Places of Worship	180
	Convenience Store	60
	Department/Discount Store	180
	Doctor/Dentist Office	180
	Elementary School	180
	Fire Station	1087
	Gas/Service Station	120
	General Business/Merchantile	540
	Governmental Offices	240
	Health Clinic/Hemodialysis Center	120
	Industrial /Manufacturing Facility	60
	Medical/Dental/Clinic Facility	60
	Motel/Hotel	60
	N/A	660
	Offices-General Buisness	540
	Recreational Facility	60
	Residential	120
	Restaurant	510
	Storage/Warehouse Facility	840
Property	Bank	120
	Church/Places of Worship	60
	N/A	240

Inspection Details

Inspection Number	Inspection Type Name	Occupant Name	Property Classification	Inspection Received Date	Property Planning Zone
4882	Home Inspection	Foster/Adoption Inspection	Occupant	9/3/2024	Zone 2- North East Quadrant
4883	Emergency Planning/Evacuation	North Ridgeville High School	Occupant	9/3/2024	Zone 2- North East Quadrant
4884	Emergency Planning/Evacuation	Early Childhood Learning Center	Occupant	9/3/2024	Zone 2- North East Quadrant
4885	Emergency Planning/Evacuation	Ranger High Tech Academy	Occupant	9/3/2024	Zone 2- North East Quadrant
4886	Annual	Animal Clinic Northview	Occupant	9/4/2024	Zone 1- North West Quadrant
4887	Fire Safety During Construction	Animal Clinic Northview	Occupant	9/4/2024	Zone 1- North West Quadrant
4888	Home Inspection	Foster/Adoption Inspection	Building	9/4/2024	Zone 2- North East Quadrant
4889	Emergency Planning/Evacuation	North Ridgeville Academic Center	Occupant	9/4/2024	Zone 2- North East Quadrant
4890	Emergency Planning/Evacuation	St. Peter's School/Parish	Occupant	9/4/2024	Zone 2- North East Quadrant
4891	Annual	Dawn Swanson Day Care	Occupant	9/5/2024	Zone 3- South West Quadrant
4892	Annual	Mr. Tire Auto Service Center	Occupant	9/5/2024	Zone 1- North West Quadrant
4893	Annual	Russell Realty	Occupant	9/5/2024	Zone 1- North West Quadrant
4894	Annual	Dotson Properties	Occupant	9/5/2024	
4895	Annual	North Ridgeville Water Department	Occupant	9/6/2024	
4896	Plan Review	Liberty Elementary	Occupant	9/6/2024	Zone 2- North East Quadrant
4897	Annual	Bistro 83	Occupant	9/6/2024	Zone 1- North West Quadrant
4898	Investigation of an emergency incident	Fire Investigation for Residential/Commercial Stru	Occupant	9/6/2024	Zone 2- North East Quadrant
4899	Annual	Goddard School	Occupant	9/9/2024	Zone 1- North West Quadrant
4900	Fire Alarm System Acceptance Test	Goddard School	Occupant	9/9/2024	Zone 1- North West Quadrant
4901	Complaint	Danbury Senior Living	Occupant	9/9/2024	Zone 4- South East Quadrant
4902	Annual	South Ridge Inn	Occupant	9/10/2024	Zone 2- North East Quadrant
4903	Annual	Mobile Food Vender	Occupant	9/11/2024	Zone 2- North East Quadrant
4904	Annual	Mobile Food Vender	Occupant	9/11/2024	Zone 2- North East Quadrant

4905	Annual	Motel 6	Occupant	9/11/2024	Zone 2- North East Quadrant
4906	Annual	Ridge Motel	Occupant	9/11/2024	Zone 1- North West Quadrant
4907	Annual	Child time Learning Center	Occupant	9/11/2024	Zone 2- North East Quadrant
4908	Fire Safety During Construction	Cube Smart Self Storage / Legacy Mills Rd.	Occupant	9/12/2024	Zone 2- North East Quadrant
4909	Fire-Resistance-Rated Construction	Cube Smart Self Storage / Legacy Mills Rd.	Occupant	9/12/2024	Zone 2- North East Quadrant
4910	Annual	AutoZone	Occupant	9/13/2024	Zone 2- North East Quadrant
4911	Fire Alarm System Test- Annual	Liberty Development Company	Occupant	9/13/2024	Zone 2- North East Quadrant
4912	Sprinkler System Test- Annual	Liberty Development Company	Occupant	9/13/2024	Zone 2- North East Quadrant
4913	Annual	Liberty Development Company	Occupant	9/13/2024	Zone 2- North East Quadrant
4914	Annual	Bank Of America	Occupant	9/13/2024	Zone 2- North East Quadrant
4915	Annual	Tan City	Occupant	9/13/2024	Zone 2- North East Quadrant
4916	Annual	Smoothie King	Occupant	9/13/2024	Zone 2- North East Quadrant
4917	Annual	Dr. McCormack	Occupant	9/13/2024	Zone 2- North East Quadrant
4918	Annual	Cricket Delphos Wireless	Occupant	9/13/2024	Zone 2- North East Quadrant
4919	Fire Alarm System Test- Annual	South Ridge Inn	Occupant	9/13/2024	Zone 2- North East Quadrant
4920	Fire Extinguisher Annual Inspection	South Ridge Inn	Occupant	9/13/2024	Zone 2- North East Quadrant
4921	Annual	Diamond Products	Occupant	9/16/2024	Zone 1- North West Quadrant
4922	Annual	Thomas Evans Ph.D	Occupant	9/16/2024	Zone 1- North West Quadrant
4923	Annual	Edward Jones	Occupant	9/16/2024	Zone 1- North West Quadrant
4924	Annual	Inner Circle Advisors	Occupant	9/16/2024	Zone 1- North West Quadrant
4925	Annual	3rd Generation Construction	Occupant	9/16/2024	Zone 1- North West Quadrant
4926	Annual	Transcendence Health	Occupant	9/16/2024	Zone 1- North West Quadrant
4927	Annual	SportsVille	Occupant	9/17/2024	Zone 1- North West Quadrant
4928	Annual	TJB, Inc.	Occupant	9/17/2024	Zone 2- North East Quadrant
4929	Fire Safety During Construction	Pulp Juice and Smoothie Bar	Occupant	9/17/2024	Zone 2- North East Quadrant

4930	Annual	Dairy Groove	Occupant	9/18/2024	Zone 2- North East Quadrant
4931	Annual	Xtreme Performance Automotive Center	Occupant	9/18/2024	Zone 1- North West Quadrant
4932	Annual	FJ Dettore, Inc / All Purpose Construction, Inc.	Occupant	9/18/2024	Zone 1- North West Quadrant
4933	Plan Review	TJB, Inc.	Occupant	9/18/2024	Zone 2- North East Quadrant
4934	Fire Alarm System Test- Annual	Northridge Health Center	Occupant	9/19/2024	Zone 2- North East Quadrant
4935	Annual	Firefighters Community Credit Union	Occupant	9/19/2024	Zone 1- North West Quadrant
4936	Annual	Mercy Occupational Health Center	Occupant	9/19/2024	Zone 1- North West Quadrant
4937	Annual	Beauty Spot Studio	Occupant	9/19/2024	Zone 1- North West Quadrant
4938	Annual	Glow Fitness	Occupant	9/19/2024	Zone 1- North West Quadrant
4939	Fire Safety During Construction	Smokin City LLC	Occupant	9/19/2024	Zone 1- North West Quadrant
4940	Annual	Jim's Upholstery	Occupant	9/19/2024	Zone 1- North West Quadrant
4941	Annual	The Sagamore Companies	Occupant	9/19/2024	Zone 1- North West Quadrant
4942	Annual	J.A. Kilby	Occupant	9/20/2024	Zone 1- North West Quadrant
4943	Annual	Ridgeville Animal Hospital	Occupant	9/20/2024	Zone 1- North West Quadrant
4944	Annual	State Farm	Occupant	9/20/2024	Zone 1- North West Quadrant
4945	Annual	Old Town Hall Theater/Museum	Occupant	9/20/2024	Zone 1- North West Quadrant
4946	Annual	Wink Bell	Occupant	9/20/2024	Zone 1- North West Quadrant
4947	Annual	Cathedral Of Life Ministries	Occupant	9/23/2024	Zone 2- North East Quadrant
4948	Annual	All Pro Sales/Accurate Products & Services, Inc.	Occupant	9/23/2024	Zone 1- North West Quadrant
4949	Annual	All Pro Sales Retail	Occupant	9/23/2024	Zone 1- North West Quadrant
4950	Annual	MBD Homes	Occupant	9/23/2024	Zone 1- North West Quadrant
4951	Annual	Chaplin logistics/RW Beckett Bldg 5	Occupant	9/24/2024	Zone 1- North West Quadrant
4952	Annual	Chapin Logistics	Occupant	9/24/2024	Zone 1- North West Quadrant
4953	Annual	Corp Legal Group(Arch Abraham)	Occupant	9/24/2024	Zone 1- North West Quadrant
4954	Annual	Expert Sales	Occupant	9/24/2024	Zone 1- North West Quadrant

4955	Annual	Johnson's Automotive	Occupant	9/24/2024	Zone 1- North West Quadrant
4956	Annual	Bogner Family Funeral Home	Property	9/25/2024	Zone 1- North West Quadrant
4957	Annual	Bogner Family Funeral Home	Occupant	9/25/2024	Zone 1- North West Quadrant
4958	Annual	Bogner Life Celebration Center	Occupant	9/25/2024	Zone 1- North West Quadrant
4959	Annual	Grace Baptist Church	Occupant	9/26/2024	Zone 1- North West Quadrant
4960	Annual	AmeriCarrier	Occupant	9/26/2024	Zone 1- North West Quadrant
4961	Annual	Mobile Food Vender	Occupant	9/26/2024	Zone 2- North East Quadrant
4962	Annual	Top Notch	Occupant	9/26/2024	Zone 1- North West Quadrant
4963	Annual	Striction Auto & Truck	Occupant	9/26/2024	Zone 1- North West Quadrant
4964	Annual	J.N.M Contracting LLC	Occupant	9/26/2024	Zone 1- North West Quadrant
4965	Reinspection	Mobile	Occupant	9/26/2024	Zone 1- North West Quadrant
4966	Fire Line Spot Inspection	Elite K911	Occupant	9/30/2024	Zone 2- North East Quadrant
4967	Fire Safety During Construction	Elite K911	Occupant	9/30/2024	Zone 2- North East Quadrant
4968	Annual	Ross Builders	Occupant	9/30/2024	Zone 1- North West Quadrant
4970	Annual	It's A Shear Thing	Occupant	10/1/2024	Zone 1- North West Quadrant
4971	Annual	Cross Country Mortgage	Occupant	10/1/2024	Zone 1- North West Quadrant
4972	Annual	Shuppbooks and Tax, LLC	Occupant	10/1/2024	Zone 1- North West Quadrant

Building Division Monthly Report



PERMITS	FEBRUARY			YEAR TO DATE		
	Permits	Est. Cost	Fees	Permits	Est. Cost	Fees
Accessory Structure	4	24,000.00	348.75	8	107,703.00	759.82
Accessory Structure - Eng				0	0.00	0.00
Addition				2	70,880.00	868.60
Addition - Eng				0	0.00	0.00
Air Conditioner	11	77,669.00	888.80	25	155,385.26	2,176.10
Alterations	8	363,036.00	8,908.40	15	1,412,783.08	11,574.80
Apron				0	0.00	0.00
Backflow Preventor	2	1,206.00	82.40	2	1,206.00	82.40
Change of Grade				0	0.00	0.00
Commercial Parking Lot				1	14,987.00	0.00
Com New Construction	1	1,100,000.00	3,795.33	1	1,100,000.00	3,795.33
Com New Construction - Eng	1	0.00	1,710.00	1	0.00	1,710.00
Culvert Pipe/Ditch Enclosure				0	0.00	0.00
Deck/Porch	1	500.00	80.80	4	36,812.00	350.47
Demolition				1	12,000.00	150.00
Driveway				0	0.00	0.00
Electrical	4	10,400.00	338.35	8	21,425.23	661.55
Fence	8	61,122.00	640.00	12	98,405.00	960.00
Fire Alarm				1	10,000.00	509.85
Fire Suppression/Protection	1	2,000.00	472.77	2	4,100.00	945.54
Furnace	13	74,042.50	1,050.40	34	185,234.24	2,984.10
Generator	4	35,541.00	323.20	4	35,541.00	323.20
Home Occupation				0	0.00	0.00
Hot Tub				0	0.00	0.00
Lawn Sprinkler				0	0.00	0.00
New Condo (1-3 Units)				0	0.00	0.00
New Dwelling BSH				0	0.00	0.00
New Dwelling BSH - Eng				0	0.00	0.00
Plumbing				1	2,495.00	80.80
Plumbing - Water Tank	5	12,936.00	404.00	10	33,221.00	808.00
Re-Roof/Gutters	20	318,789.81	2,012.20	28	640,269.80	2,737.45
Res New Dwelling	3	1,323,957.00	6,315.10	9	2,799,428.00	19,081.65
Res New Dwelling - Eng	3	0.00	1,425.00	9	0.00	4,275.00
Sanitary Repair/Replacement	3	0.00	240.00	4	0.00	320.00
Sanitary Sewer Tap	4	0.00	47,450.57	11	0.00	89,128.48
Sidewalk				0	0.00	0.00
Siding				0	0.00	0.00
Sign - Permanent				2	36,844.00	365.65
Sign - Temporary				0	0.00	0.00
Solar Panel				1	19,918.31	80.80
Storm Repair/Replacement	1	0.00	0.00	1	0.00	0.00
Sump Pump	1	0.00	80.80	2	3,439.13	161.60
Swimming Pool				0	0.00	0.00
Water Meter				0	0.00	0.00
Water Tap	3	0.00	0.00	9	0.00	0.00
Waterline				2	0.00	160.00
Waterproofing	3	38,209.00	242.35	3	38,209.00	242.35
Windows/Doors	16	216,123.00	1,212.80	22	275,167.06	1,697.60
Woodburner Fireplace				0	0.00	0.00
TOTAL	120	3,659,531.31	78,022.02	235	7,115,453.11	146,991.14

Building Division Monthly Report



ENFORCEMENTS	FEBRUARY	YEAR TO DATE
	Entries	Entries
Advisory		0
Backflow Program		18
Commercial Basin Inspection		0
Contractor Registration		0
Engineering Complaint		1
Home Occupation Permit		0
Mud on Road		0
Property Maintenance	5	17
Property Maintenance Complaint	5	10
Service		0
Working without Permit	1	4
TOTAL	11	50

CONTRACTOR REGISTRATIONS	78	327
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INSPECTIONS	491	1039
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Planning Commission Report
MEETING OF MARCH 11, 2025

The North Ridgeville Planning Commission took action on the following items at their Regular Meeting of March 11, 2025:

1. PPZ2025-0337: Victory Park, 7777 Victory Lane, PPN 07-00-003-102-106

Owner: PMJ Park Holdings, 7777 Victory Lane, North Ridgeville, OH 44039.

Proposal consists of new turf fields, lighting and other site improvements. Property zoned I-2 Light Industrial District.

PC ACTION: The lighting plan has been tabled to a future meeting. Planning Commission approved the site development plan by a vote of 3-0 with the following conditions:

- 1.** Athletic fields must have a minimum 15-foot runout.
- 2.** Double gates at each field for emergency access.
- 3.** Compliance with Engineering requirements.

cc: Mayor Corcoran
Law Director Moriarty
Assistant Law Director Morgan
City Engineer Eavenson
Chief Building Official Fursdon
Planning & Development Director Lieber

DATE:	<u>March 17, 2025</u>	1 ST READING:	<u>March 17, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-48

AN ORDINANCE CREATING A NEW *CHAPTER 1470 TENTS* OF THE NORTH RIDGEVILLE BUILDING AND HOUSING CODE.

WHEREAS, temporary tents are commonly used for a variety of purposes, including outdoor activities, festivals and other special events; and

WHEREAS, the improper use or installation of temporary tents can present significant risks to public safety, including but not limited to creation of fire hazards, structural instability, obstruction of pedestrian pathways and interference of traffic flow; and

WHEREAS, tents and temporary structures in Ohio are regulated by the Ohio Building Code; and

WHEREAS, the Administration proposes to create supplemental local regulations and create a permitting process to provide guidance to those intending to erect a temporary tent in the City of North Ridgeville; and

WHEREAS, it is the desire of Council to amend these Codified Ordinances to protect the public health, safety and welfare.

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

SECTION 1. A new *Chapter 1470 Tents* of the North Ridgeville Building and Housing Code be adopted which reads in its entirety as set forth in the document attached to this Ordinance as **Exhibit A**.

SECTION 2. The following permit fees shall be added to the schedule in Section 1444.03: tents under 400 square feet - \$25; tents 400 square feet and greater - \$80.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED: _____

MAYOR

CHAPTER 1470. TENTS

- 1470.01 Applicability.
- 1470.02 Permit required.
- 1470.03 Additional requirements.
- 1470.99 Penalty.

1470.01 Applicability.

Temporary tents may only be erected in the City of North Ridgeville in accordance with the requirements of this Chapter, the Ohio Building Code and the Ohio Fire Code. Tents are subject to additional requirements and limitations, as applicable, imposed by the North Ridgeville Planning and Zoning Code and the North Ridgeville Business Regulation Code.

1470.02 Permit required.

- (a) Permit Required. Approval is required for all tents over 120 square feet erected on private property or on public property in conjunction with a Special Event Permit. Application shall be made on a form provided by the Chief Building Official. Permit applications for tents 400 square feet or greater must be accompanied by construction drawings stamped by a design professional.
- (b) Exemptions. Tents used exclusively for recreational camping purposes and tents less than 400 square feet that are accessory to a residential dwelling are exempt from the permit requirements of this section.
- (b) Fee. Permit fees are established in Chapter 1444.

1470.03 Additional requirements.

- (a) Duration. No tent may be erected for a period longer than thirty (30) consecutive days.
- (b) Material. Any tent must be of flame-retardant material, meeting the requirements of the current edition of NFPA 701.
- (c) Cooking. No cooking with open flame, charcoal or other solid fuels is permitted under any tent. Only cooking explicitly approved by North Ridgeville Fire Prevention shall be permitted.
- (d) Obstructions. No owner or tenant of any commercial establishment shall place a tent in a manner that obstructs or unreasonably impairs motor vehicle traffic or the use of any pedestrian walkway or accessible route.

1470.99 Penalty.

A violation of this section shall constitute a minor misdemeanor. For purposes of this paragraph, each day during which such violation continues shall constitute a separate violation and punishable as a distinct minor misdemeanor.

DATE:	<u>March 17, 2025</u>	1 ST READING:	<u>March 17, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EFFECTIVE:	<u></u>

RESOLUTION NO. 2025-49

A RESOLUTION TO APPROVE THE APPLICATION MADE BY MARGARET E. HAPUTA AND GROSİK KATHERINE TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED WITHIN AN AGRICULTURAL DISTRICT.

WHEREAS, the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 and 6111.034 of the Ohio Revised Code to permit the establishment of Agricultural Districts to preserve agricultural land, to exempt land in those Districts from the collection of specified utility assessments, to provide other benefits for land in those districts, to forbid township and county zoning from restricting certain farm markets, and to provide a right to farm by exempting generally accepted agricultural practices from air pollution laws and certain nuisance statutes, rules, and ordinances; and

WHEREAS, Section 929.03 (D) provides that the legislative authority of a municipal corporation may apply to the Water and Sewer Commission, created by division (B) of Section 1626.11 of the Ohio Revised Code, for an advance of money from the Water and Sewer Special Account, created by division (A) of Section 1525.11 of the Ohio Revised Code, in an amount equal to that portion of the costs of water and sewer improvement authorized by law that is to be financed by assessments whose collection would be prohibited on real property that is within an Agricultural District; and

WHEREAS, Section 929.02(B) provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an Agricultural District filed pursuant to 929.02(A), if such rejection or modification is necessary to prevent a substantial, adverse effect on, among other things, the provision of municipal services within the municipality or the public health, safety or welfare; and

WHEREAS, the Water and Sewer Account, established by division (A) of Section 1525.11 of the Ohio Revised Code, has not yet been funded; and

WHEREAS, the legislative authority of a municipal corporation is required to review each application for inclusion in Agricultural Districts made by an owner of real property which is located within the municipal corporation by approving, rejecting, or approving with modifications within a statutory time frame; and

WHEREAS, Margaret E. Haputa and Grosik Katherine, have filed such an application, which is attached hereto and incorporated herein as though fully rewritten.

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

SECTION 1. Approves that application for all purposes encompassed by Sections 929.01 to 929.05 and 6111.034 of the Ohio Revised Code except for the following, which constitutes a modification authorized by Section 929.02(B) of the Ohio Revised Code, the necessity of which is demonstrated by the above recitals.

The real estate, which is the subject of the instant application, will not be deemed exempt from the collection of special assessments for water, sewer, or electrical service until the Council of the City of North Ridgeville deems itself assured of the receipt of such advanced funds.

At such time in the future when the Council shall resolve to enact any relevant improvement for which a special assessment must be levied upon real estate, including that which falls within the designation of an Agricultural District, the Clerk of Council's Office will notify all property owners, whose application for inclusion in an Agricultural District has been approved with the instant modification, by certified mail, return receipt requested, of the fact that such Resolution has been made.

At the time of such Resolution, Council will pursue the application for advancement of money from the Water and Sewer Commission to cover the assessments allocated to property located within Agricultural Districts. All property owners will be advised at public meetings of the progress and/or result of the Council's application for funds. Owners of property located within an Agricultural District will be notified of the result of such application by certified mail, return receipt requested.

At such time as the Council deems itself assured of the receipt of the advanced funds, it shall lift the instant modification and, thereby, grant exemption to all the properties located within Agricultural Districts, effective on the date of their original application. Otherwise, it may grant exemption with the modification pursuant to Section 929.02(B) of the Ohio Revised Code.

In the event that Council's application is rejected by the Commission, the instant modification will remain in effect and special assessment taxes will be levied upon property within an Agricultural District.

SECTION 2. That is found and determined that all formal actions of this Council concerning and relating to the adoption 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, in compliance with all legal requirements including 121.22 of the Ohio Revised Code.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

**APPLICATION FOR PLACEMENT OF
FARMLAND IN AN AGRICULTURAL DISTRICT
(O.R.C. Section 929.02)**

(See page 4 for General Information regarding this Application)

New Application _____
Renewal Application _____

LORAIN COUNTY
RECEIVED
JAN 6 PM 2:20

INSTRUCTIONS FOR COMPLETING APPLICATION

Print or type all entries.

- o List description of land as shown on the most recent tax statement or statements. Show total number of acres.
- o Describe location of property by roads, etc., and taxing district where located.
- o State whether any portion of land lies within a municipal corporation.
- Note:** See "Where to File" on page 4 to be sure that a copy of this Application is also filed with the Clerk of the municipal legislative body as well as the County Auditor.
- o A renewal application must be submitted after the first Monday in January and prior to the first Monday in March of the year in which the agricultural district terminates for the land to be continued in this program.
- o If the acreage totals 10 acres or more, do not complete Part D.
- o If the acreage totals less than 10 acres, complete either D (1) or (2).
- o Do not complete page 3. This space to be completed by the County Auditor and/or Clerk of the municipal legislative body.

A. Owner's Name: MARGARET HAPUTA, GROSIK KATHERINE + GEO. DJR ETAL

Owner's Address: 9277 ISLAND RD. N. RIDGEVILLE OH 44039

Owner's Email (optional):¹ PHAP 641 @ YAHOO.COM

Description of Land as Shown on Property Tax Statement: ACREAGE 33.270000

Location of Property:
Street or Road- 9225 ISLAND ROAD
County- LORAIN

TAX DISTRICT(S)	PARCEL NUMBER(S)	# of Acres
50	07-00-013-000-463	33.27
Total Number of Acres		33.27

- B. Does any of the land lie within a municipal corporation limit or subject to pending annexation?
Yes ☒ No ☐

If YES, REMEMBER a copy of this application must be submitted to the Clerk of the municipal legislative body.

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

- C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code?

Yes ☒ No ☐

If NO, complete the following showing how the land was used the past three years:

	<u>ACRES</u>		
	LAST YEAR	TWO YEARS AGO	THREE YEARS AGO
Cropland			
Permanent Pasture used for animal husbandry			
Woodland devoted to commercial timber and nursery stock			
Land Retirement or Conservation Program pursuant to an agreement with a federal agency			
Building areas devoted to agricultural production			
Roads, building areas, and all other areas not used for agricultural production			
Total Acres			

- D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government?

Yes ☒ No ☐

If NO, complete the following:

1. Attach evidence of the gross income for each of the past 3 years, if the average yearly income from agricultural production was at least twenty-five hundred (\$2,500.00) dollars or more, **or**
2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred (\$2,500.00) dollars or more, evidence must be attached showing the anticipated gross income.

Authorization and Declaration

By signing this application, I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct application. I understand that land removed from this program before the 5-year enrollment period is subject to penalty, in accordance with Section 929.02(D) of the Ohio Revised Code.

Signature of Owner:

Margaret E. Hyslop

Date:

2/4/25

DO NOT COMPLETE FOR OFFICIAL USE ONLY

Action of County AuditorCAUV Application No. 2024-0045

° Pending City Approval

Application Approved ✓ Rejected _____ *Date Application Filed with County Auditor Feb. 06, 2025

Date Filed (if required) with Clerk of Municipal Corporation _____

County Auditor's Signature J. Gary Sordgrass / jg Date 2/25/2025Date Decision Mailed and Emailed¹ to Applicant Feb. 06, 2025Email Address ¹ phap641@yahoo.com**OR**

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

Action of Legislative Body of Municipal Corporation

Application Approved _____ Approved with Modifications _____ * Rejected _____ *

Date Application Filed with Clerk _____

Date of Public Hearing _____

Date of Legislative Action _____

Clerk's Signature _____ Date _____

Date Decision Mailed and Emailed¹ to Applicant _____Email Address ¹ _____**OR**

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

* IF MODIFIED OR REJECTED, ATTACH SPECIFIC REASONS FOR MODIFICATION OR REJECTION

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

RECEIVED
 2025 FEB -6 PM 2:26
 LORAIN COUNTY
 AUDITOR

INFORMATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT**A. WHO MAY FILE?**

Any owner of land used for agricultural production may file an application to have the land placed in an agricultural district.

B. WHERE TO FILE

The completed application must be filed with the auditor of the county where the land is located. The applicant will be notified of action taken by the county auditor within 30 days of the filing of the application if the land is not within a municipal corporation or an annexation petition has not been filed. If the land for which an application has been made lies within a municipal corporation limit or if an annexation petition that includes the land has been filed with the Board of County Commissioners under Section 709.02 of the Ohio Revised Code, a copy of the application must also be filed with the Clerk of the legislative body of the municipal corporation. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the Clerk. Within 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

C. WHEN TO FILE AND RENEWAL

The original application may be filed at any time for placement of land in an agricultural district for a five-year period. If at the end of five years, the owner decides to keep some or all of his or her land in a district, he or she shall submit a renewal application and must meet the same land requirements and use the same application process as the original application. The renewal application may be filed at any time after the first Monday in January and prior to the first Monday in March of the year during which an agricultural district terminates, for a period of time ending on the first Monday in April of the fifth year following the renewal application.

D. WHAT IS "LAND USED FOR AGRICULTURAL PRODUCTION?"

In accordance with Section 929.01(A) of the Revised Code, land is devoted to "agricultural production" when it is used for commercial aquaculture, apiculture, animal husbandry, poultry husbandry; the production for a commercial purpose of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental shrubs, ornamental trees; flowers or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth.

"Agricultural production" includes conservation practices provided that the tracts, lots, or parcels of the land or portions thereof that are used for conservation practices comprise not more than twenty-five percent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed.

"Conservation practices" are practices used to abate soil erosion as required in the management of the farming operation, and include, but are not limited to, the installation, construction, development, planting, or use of grass waterways, terraces, diversions, filter strips, field borders, windbreaks, riparian buffers, wetlands, ponds, and cover crops for that purpose.

E. WHAT DOES "TRACTS, LOTS, OR PARCELS OF LAND" MEAN?

Tracts, lots, or parcels mean distinct portions of pieces of land (not necessarily contiguous) where the title is held by one owner, as listed on the tax list and duplicate of the county, is in agricultural production and conforms with the requirements of either D1, D2, or D3 below.

F. ARE THERE ANY OTHER REQUIREMENTS?

1. The land for which the application is made must have been used exclusively for agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with a federal agency for the three consecutive calendar years prior to the year in which application is made. Evidence must be shown on the application. If the land contains timber which is not being grown for commercial purposes the land on which the timber is growing must be contiguous to or part of a parcel under common ownership that is otherwise devoted exclusively to agricultural use.
2. If the total amount of land for which application is made is less than 10 acres, there is an additional requirement that the applicant submit evidence with his application that the activities conducted on the land have produced an average yearly gross income of at least twenty-five hundred dollars over the three years immediately preceding the year in which application is made or that the land will produce an anticipated annual gross income of that amount.
3. Evidence of annual gross income may be satisfied by attaching to the application form a short statement stating the number of animals by species and anticipated market value, number of acres of crops to be grown, their expected yield and price per bushel or similar specific information.

G. IS THERE A PENALTY FOR EARLY WITHDRAWAL?

Land removed from this program before the 5-year enrollment period is subject to penalty, per Section 929.02(D) of the Ohio Revised Code. See County Auditor's Office for details on how the amount of the withdrawal penalty is determined.

H. APPEAL OF APPLICATION

The applicant may appeal the denial of the application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice denying the application. When the land lies within a municipality the applicant may also appeal a decision to modify or reject an application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice of modification or rejection. In addition, the applicant may withdraw an application modified by a legislative body if he or she disapproves of the modifications.

DATE:	<u>March 17, 2025</u>	1 ST READING:	<u>March 17, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-50

AN ORDINANCE REPLACING CHAPTER 1030 *STREET TREES* WITH NEW CHAPTER 1030 *TREES* AND REPEALING CHAPTER 1032 *MASTER TREE PLAN* OF THE NORTH RIDGEVILLE STREETS, UTILITIES AND PUBLIC SERVICES CODE.

WHEREAS, the current regulations governing public and private trees in the North Ridgeville Codified Ordinances have not been comprehensively updated to reflect modern arboricultural best practices and urban forestry management standards; and

WHEREAS, improving tree planting, maintenance and removal requirements will enhance environmental benefits, including air quality and stormwater management while promoting a healthier and more sustainable tree canopy for the City of North Ridgeville; and

WHEREAS, amendments to Chapter 1030 and Chapter 1032 of the Streets, Utilities and Public Services Code are needed to incorporate clearer guidelines, improved enforcement mechanisms and ensure the long-term protection and responsible management of trees within the community; and

WHEREAS, it is the desire of Council to amend these Codified Ordinances.

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

SECTION 1. Chapter 1030 *Street Trees* of the Streets, Utilities and Public Services Code which presently reads in its entirety as set forth in **Exhibit A** be replaced with a new Chapter 1030 *Trees*, and as such, shall read in its entirety as set forth in the document attached to this Ordinance as **Exhibit B**.

SECTION 2. Chapter 1032 *Master Tree Plan* as set forth in **Exhibit C** be repealed as the new *Chapter 1030 Trees* provides for the City Arborist to formulate and the Planning Commission to approve the North Ridgeville Master Tree Plan.

SECTION 3. Section 1010.01 of Chapter 1010 *Engineering Permits and Fees* be amended to add a permit fee for planting and removal activities on public property as described in Section 1030.05(a) in the amount of \$80.

SECTION 4. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were conducted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action were in meetings open to the public in accordance with all legal requirements, including §121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance shall take effect and be in full force from and after the earliest period allowed by law.

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

CHAPTER 1030. STREET TREES

1030.01 Definitions

As used in this chapter:

- (a) "Arboriculture" and "tree preservation" mean and include the treating, spraying, pruning, maintaining and any other care or work intended for the strengthening of trees and the removal and prevention of tree pests, blights and diseases of any and all kinds.
- (b) "City" means the City of North Ridgeville.
- (c) "City Arborist" means the Safety-Service Director or such person specially designated as City Arborist.
- (d) "Person" means any person, firm, partnership, association, corporation, company or organization of any kind.
- (e) "Public place" means any public street, public highway, public park or any property owned or held by the City within the boundaries of the City.
- (f) "Street tree" and "tree" mean a tree in a public place, except where otherwise indicated.

(Ord. 290-65, 9-7-65)

1030.02 City arborist

- (a) Establishment; Appointment. There is hereby established the office of City Arborist, who shall be appointed by the Mayor and who shall, by virtue of his or her office, be the City Arborist.
- (b) Scope of Authority. The City Arborist is hereby given full jurisdiction, authority, control, supervision and direction of all trees which now or which may hereafter exist upon any public place in the City, and over all trees which exist upon any private property in the City when such trees constitute a menace to the City.
- (c) Issuance of Permits. The City Arborist is given full jurisdiction, authority and control in connection with the issuing of permits as provided for in this chapter.
- (d) Delegation of Powers and Duties. In the exercise of any or all of the powers herein granted, the City Arborist shall have the authority to delegate all or part of his or her power and duties, with respect to the supervision and control of trees, to his or her subordinates and assistants in the employ of the City as he or she may, from time to time, determine.
- (e) Authority and Duty to Order Trimming, Preserving or Removal of Trees on Private Property. The City Arborist shall have the authority, and it shall be his or her duty, to order the trimming, preservation or removal of trees or plants upon private property when he or she shall find such action necessary for the public safety or to prevent the spread of disease or insects to public trees and places.

(Ord. 290-65, 9-7-65)

1030.03 Conformity with master tree plan

No person shall plant, transplant or move any public tree on or to any street of the City except to a location where it will be in conformity with the Master Tree Plan, as provided in Chapter 1032 and the species or variety therein designated.

(Ord. 290-65, 9-7-65)

1030.04 Tree planting along newly opened and improved thoroughfares (repealed)

Editor's note(s)—(Section 1030.04 was repealed by Ordinance 3568-00, passed May 1, 2000)

1030.045 Retention and preservation of trees and woodlands

Developers shall retain and preserve as many healthy trees and woodlands as possible within their subdivisions and developments.

(Ord. 3568-00, 5-1-00)

1030.05 Permits for planting, removing, pruning, etc.

- (a) Required. No person shall plant, remove, destroy, cut, prune, fertilize, treat, break, climb, injure or spray any tree existing on any public place in the City, or authorize or procure any person to do so, remove or tamper with any device placed for the protection of any such tree, attach any rope, wire, chain, sign or other device placed for the protection of such tree, or authorize or cause the same to be done, without having first obtained a written permit therefor from the City Arborist to do so.
- (b) Contents; Protection of New Trees. Such permit, when granted for the planting of any tree to be located on any public place in the City, shall designate the species of tree to be planted, the required spacing and the required minimum planting size, as specified in the Master Tree Plan for the City, as it may be amended from time to time. All newly planted trees, whether installed by the abutting property owner or contractor, shall be supported by a ninety-six inch iron fence post placed on the street side of the tree. No person shall guy any tree less than four inches in caliper with wires or rope. For trees over four inches in caliper, special permission must be obtained and the permittee must assume liability for accidents occurring therefrom.
- (c) Application Data. The application for the permit herein required shall state the number and kind of trees to be trimmed, sprayed, preserved, removed or planted, the kind of treatment to be administered, and such other information as the City Arborist shall find reasonably necessary for a fair determination of whether a permit should be issued hereunder.
- (d) Standards for Issuance. The City Arborist shall issue the permit provided for herein when he or she finds that the desired action or treatment is necessary and that the proposed method and workmanship are satisfactory.
- (e) Supervision of Work. The City Arborist shall have the authority, and it shall be his or her duty, to supervise all work done under a permit issued in accordance with the provisions of this chapter.
- (f) Conditional Permits. The City Arborist shall have the authority to affix reasonable conditions to the granting of a permit hereunder.
- (g) Exemptions. No permit shall be required to cultivate, fertilize or water public trees or shrubs. The City Arborist may authorize any person to do any work or act described in subsection (a) hereof without a written permit whenever he or she determines that such work or act will not be detrimental to the public interest and will be in accordance with the spirit and other requirements of this chapter.

(Ord. 290-65, 9-7-65)

1030.06 General tree and shrub regulations

- (a) Injuring Trees and Shrubs. No person shall, without the consent of the owner in the case of a private tree or shrub, or without a written permit from the City Arborist in the case of a public tree or shrub, do, or cause to be done by others, any of the following acts:
 - (1) Secure, fasten or run any rope, wire, sign or other device or material to, around or through a tree or shrub;
 - (2) Break, injure, mutilate, deface, kill, destroy or permit any fire to burn where it will injure, any tree or shrub;
 - (3) Permit any toxic chemical, gas, smoke, salt, brine, oil or other injurious substance to seep, drain or be emptied upon or about any tree or shrub;
 - (4) Excavate any ditch, tunnel or trench or lay any drive within a radius of ten feet from any tree or shrub;

- (5) Erect, alter, repair or raze any building or structure without placing suitable guards around all nearby public trees or shrubs which may be injured or defaced by, or where such injury or defacement may arise out of, in connection with or by reason of, such an operation. The quality of such guard shall be determined by the City Arborist.
 - (6) Knowingly permit any unprotected electric service wires to come in prolonged contact with any public tree or shrub; or
 - (7) Remove any guard, stake or other device or material intended for the protection of a public tree or shrub, or close or obstruct any open space about the base of a public tree or shrub designed to permit access of air, water and fertilizer.
- (b) Trimming of Trees on Public Property. The City Arborist shall, and he or she is hereby directed to, keep trimmed all trees standing upon any public place in the City so that the branches of such trees projecting over any public sidewalk or private driveway or into any public street beyond the curb line shall not conflict with the public welfare.
 - (c) Trimming of Trees on Private Property. All trees standing upon private property in the City, having branches projecting into public highways or public places, shall, under the supervision of the City Arborist, be kept trimmed by the owner or occupant of such private property to such an extent that the lowest branches of such trees shall not come within nine feet of the ground where they overhang any public sidewalk or public place, or fourteen feet over a public highway.
 - (d) Obstruction of View at Intersections; Declaration of Public Nuisance. Notwithstanding any other provision of this chapter, no person shall maintain, plant or permit to remain, on any private or public premises situated at the intersection of two or more streets or alleys in the City, any hedge, tree, shrub or other growth which may obstruct the view of the operator of any motor vehicle approaching such intersection to the extent that such operator is unable to observe other vehicles or pedestrians approaching or crossing such intersection. Any such hedge, tree, shrub or growth is hereby declared to be a public nuisance.

(Ord. 290-65, 9-7-65)

1030.07 Certain species declared public nuisances; abatement

Any silver maple, honey locust, poplar, basswood, box elder, catalpa or willow upon private property in the City, in such close proximity to any public place in the City as will permit the roots of such tree to penetrate through or under the surface of any public place in the City, is hereby declared to be a public nuisance and may be abated by the City Arborist as provided in Sections 1030.02(e) and 1030.08.

(Ord. 290-65, 9-7-65)

1030.08 Authority of city arborist to trim and remove trees; infested or infected trees declared public nuisances

The City Arborist shall have the right and duty to trim any tree existing on any public place in the City so as to insure the public safety or to preserve the function or beauty of such public place. He or she shall further have the right to remove any such tree, or any part thereof, which is in an unsafe condition; which, by reason of its location or nature, is injurious or detrimental to other public improvements in the City; or which is infected with any injury, fungus, insect or other pest or disease which cannot otherwise be controlled. Such an infested or infected tree is hereby declared to be a public nuisance.

(Ord. 290-65, 9-7-65)

1030.09 Orders to trim, preserve or remove

- (a) Written Order of City Arborist. When the City Arborist finds it necessary to order the trimming, preservation or removal of trees or plants upon private property, as authorized in Sections 1030.02(e) and 1030.06(c), he or she shall serve a written order to correct the dangerous condition upon the owner, operator, occupant or other person responsible for its existence.

- (b) Method of Service. The written order required herein shall be served in one of the following ways:
- (1) By making personal delivery of the order to the person responsible;
 - (2) By leaving the order with some person of suitable age and discretion upon the premises;
 - (3) By affixing a copy of the order to the door at the entrance of the premises in violation;
 - (4) By mailing a copy of the order to the last known address of the owner of the premises, by registered mail; or
 - (5) If unable to make contact by the above methods, then by publishing a copy of the order in a local newspaper once a week for three successive weeks.
- (c) Time Limit for Compliance. The order required herein shall set forth a time limit for compliance, dependent upon the hazard and danger created by the violation. In cases of extreme danger to persons or public property, the City Arborist shall have the authority to require compliance immediately upon service of the order.
- (d) Appeals. A person to whom an order is directed shall have the right, within seven days of the service of such order, to appeal to the Board of Zoning and Building Appeals, which shall review such order within ten days and file its decision thereon. Unless the order is revoked or modified, it shall remain in full force and be obeyed by the person to whom directed. No person to whom an order is directed shall fail to comply with such order within ten days after an appeal has been determined.
- (e) Failure to Comply; Remedy of City. When a person to whom an order is directed fails to comply within the specified time, the City Arborist shall remedy the condition or contract with others for such purpose and charge the cost thereof to the person to whom the order is directed. The person remedying a condition under a contract made hereunder shall be authorized to enter premises for that purpose.
- (f) Levying of Special Assessments. If the cost of remedying a condition is not paid within thirty days after receipt of a statement therefor from the City Arborist, such cost shall be levied against the property upon which such hazard exists as a special assessment. The levying of such assessment shall not affect the liability of the person to whom the order is directed to the fine as herein provided. Such special assessment shall be collected in the manner provided in the Ohio Revised Code, with a forfeiture of five percent and interest for failure to pay at the time fixed by the assessing ordinance.

(Ord. 290-65, 9-7-65)

1030.10 Placing of impervious materials adjacent to trees

No person shall place or maintain upon the ground any stone, concrete, brick or other impervious material or substance in such a manner as may obstruct the free access of air and water to the roots of any tree upon any public place in the City, without first having obtained written permission. Unless otherwise provided, there shall be maintained about the base of the trunk of each such tree at least nine square feet of open ground for each three inches in diameter of the tree. For every two inches of increase of such diameter, there shall be an increase of at least one square foot of open ground.

(Ord. 290-65, 9-7-65)

1030.11 Moving and replacing trees; security deposit or bond required

All moving of trees upon any public place in the City, made necessary by the moving of a building or structure or any other private enterprise, shall be done under the supervision of, and with the written permission of, the City Arborist, and at the expense of the applicant or person seeking the removal of such tree. Such applicant, as one of the conditions to obtaining such permission, shall deposit with the City such sum in cash as the City Arborist may determine and specify to cover all of the costs of moving and replacing such tree, if the conditions of such permission require the replacement thereof. However, in lieu of such cash deposit, the City Arborist may, in his or her discretion, accept a good and sufficient bond in like amount conditioned upon the payment of all costs of such moving and replacing.

(Ord. 290-65, 9-7-65)

1030.12 Duties of private owners

No person whose property includes or abuts a street or highway right-of-way shall fail to:

- (a) Trim trees in the right-of-way or on his or her abutting property so as not to cause a hazard to public places or interfere with the proper lighting of public highways by street lights. The minimum clearance of any overhanging portion thereof shall be nine feet over footways and fourteen feet over vehicular ways.
- (b) Treat or remove any tree or plant so diseased or insect-ridden as to constitute a hazard to trees, plants, pedestrians or motorists in public places;
- (c) Remove and refrain from planting any of the trees listed in Section 1030.07;
- (d) Remove any other obstructions causing a hazard to public places; and
- (e) Remove or control any tree or plant containing a hazardous insect infestation.

(Ord. 4775-2010, 9-7-10.; Ord. 4796-2010, 11-15-10)

1030.13 Inspections by city arborist; right of entry

The City Arborist shall have the authority to enter upon private premises at all reasonable times for the purpose of examining any tree or shrub located upon or over such premises and for the purpose of carrying out any of the provisions of this chapter.

(Ord. 290-65, 9-7-65)

1030.14 Obstruction of city arborist

No person shall prevent, delay or interfere with the City Arborist or his or her designees while they are engaged in carrying out any work or activities authorized by this chapter.

(Ord. 290-65, 9-7-65)

1030.99 Penalty

Whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred and fifty dollars (\$250.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.

CHAPTER 1030 TREES

1030.01 PURPOSE.

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1030.01 PURPOSE.

The purpose of this chapter is to promote the public health, safety and general welfare through the preservation, replacement and planting of trees native to our area and the removal of diseased or invasive trees in order to moderate storm water runoff, reduce erosion and sedimentation, lessen air pollution, moderate air temperature, increase and support biodiversity, maintain wildlife habitats, reduce noise and light glare, provide visual screening, provide natural shading, protect property values and enhance the natural beauty of the community.

1030.02 DEFINITIONS.

For the purposes of this chapter, the following definitions shall apply:

- (a) “Boundary Line Tree” means a tree where the property boundary line passes through any portion of the trunk of a tree at the point where the trunk emerges from the ground.
- (b) “Diameter Breast Height” (DBH) means the diameter of a tree measured at four and one-half feet above the existing grade at the base of the tree. This measurement is an industry standard measurement used for existing trees.
- (c) “Drip line” means the imaginary circle on the ground beneath a tree at the furthest edge of the tree’s canopy.
- (d) “ISA” means the International Society of Arboriculture who as a group governs the accreditation of tree care professionals.
- (e) “Remove” or “Removal” means the causing or accomplishing of the actual physical removal of a tree, or the effective removal through damaging, poisoning or other direct or indirect action resulting in, or likely to result in, the death of a tree.
- (f) “Public tree” means a tree that is planted in a public place, such as a park, public right-of-way or open space.
- (g) “Tree” means any self-supporting woody plant together with its root system, growing upon the earth usually with one trunk, or multi-stemmed trunk system, supporting a definitely formed crown.
- (h) “Tree Maintenance” means the caring for and protection of trees by property owners and

contractors, adhering to ANSI A300 standards to reduce the prevalence of issues, including the possible spread of disease, stemming from poor pruning practices.

- (i) “Tree Preservation Plan” means a proposal which includes a tree survey and a written plan with text and/or graphic illustrations indicating the methods which are to be used to preserve existing trees during construction, and methods for ongoing maintenance, including fertilizing and pruning following ANSI A300 standards.
- (j) “Tree Selection” means for residents and contractors planting trees, recommendations to plant non-invasive tree species as published by the State of Ohio Forestry Department and/or the North Ridgeville Master Tree Plan, but not limited to these sources.
- (k) “Tree Survey” means a graphic display drawn to scale by a landscape architect or certified arborist, not to exceed 1 inch = 50 feet, showing all existing trees on the site having a diameter of eight (8) inches DBH or larger. Any tree survey shall include species, location and DBH of each such tree.

1030.03 CITY ARBORIST.

- (a) Establishment; Appointment. There is hereby established the position of City Arborist, who shall be appointed by the Mayor and who shall be an ISA certified arborist.
- (b) Scope of Authority. The City Arborist is hereby given full jurisdiction, authority, control, supervision and direction of all trees which exist upon any public place in the City, and over all trees which exist upon any private property in the City when, in their opinion, such trees constitute a hazard to public health, safety or welfare.
- (c) Issuance of Permits. The City Arborist is given full jurisdiction, authority and control in connection with the issuing of permits as provided for in this chapter.
- (d) Master Tree Plan. The City Arborist shall have the authority to formulate a Master Tree Plan that shall apply to the planting, maintenance, control and removal of all trees within rights of way and other public places, which shall be presented to Planning Commission and upon their acceptance and approval shall constitute the official North Ridgeville Master Tree Plan. The Master Tree Plan may include, but not be limited to, the following plan elements:
 - (1) Survey of public trees;
 - (2) Tree species selection for rights of way, parks, cemeteries, civic facilities and other public places;
 - (3) Lists of permitted and prohibited trees;
 - (4) Tree planting specifications and spacing requirements;
 - (5) Tree maintenance and preservation guidelines; and
 - (6) Best practices tree management techniques.
- (e) Delegation of Authority. In the exercise of any of the powers herein granted, the City Arborist shall have the authority to delegate all or such part of their powers and duties, with respect to supervision and control of trees, to their subordinates and assistants in the employ of the City, as they may from time to time determine.

1030.04 TREE PROTECTION AND PRESERVATION ON PUBLIC PROPERTY.

- (a) No person shall destroy, damage, cut, carve, climb with spurs or otherwise severely injure any tree or shrub, including the root system, having all or any portion of its trunk within

- the public right of way or on public property.
- (b) No person shall attach or place any object, including, but not limited to, rope, wire, nail, chain or sign, to any such tree or shrub or attach any such object to the guard or stake intended for the protection of such tree within the public right of way or on public property.
 - (c) No person shall place, store, deposit or maintain upon the ground any compacted stone, cement, brick, sand or other materials which may impede or obstruct the free passage of air, water and fertilizer to the roots of any tree or shrub within the public right of way or on public property.
 - (d) No person shall cause any natural or artificial gas, water, oil, liquid dye or any other substance deleterious to trees to come in contact with the soil surrounding the roots of any trees upon any public place in the City, in such a manner as to kill, injure, deface, destroy or affect the growth of such trees.
 - (e) No person shall damage, misuse or remove any device placed to protect or maintain such tree within the public right of way or on public property, except in case of immediate necessity for the protection of life or property.
 - (f) No person shall change the natural drainage; excavate any ditches, tunnels or trenches; or lay any drive within the drip line of any tree having all or any portion of its trunk in or upon any public property without obtaining a written approval from the City and without strictly complying with the provisions of the issued approval and provisions of this chapter.
 - (g) No person shall attach any electric wire to any tree growing or planted in any public right-of-way of the City, including low voltage holiday lighting without the written permission of the City Arborist. Every person having any wire charged with electricity running through or across a public street shall securely fasten such wire or wires so that they shall not come in contact so as to injure any tree therein, and shall temporarily remove any such wire or the electricity therein when it shall be deemed necessary by the City Arborist, in order to take down or prune any trees growing in a public street, within 24 hours after the service upon the owner of such wire, or their agent, of a written notice to remove the wire or the electricity therefrom.
 - (h) No person shall perform, or contract with another to perform, excavation or construction work within the drip line of any tree having all or any portion of its trunk in or upon any public property without first installing a fence, frame or box in a manner and of a type and size satisfactory to the City to protect the tree during the excavation or construction work. For every one inch of DBH there shall be one foot of protective radius around the tree unless otherwise approved by the City Arborist. All building materials, equipment, dirt, or other debris shall be kept outside the root protection zone. The tree protection fence, frame or box shall not be removed unless or until the City authorizes it to be removed.

1030.05 TREE PLANTING OR REMOVAL ON PUBLIC PROPERTY.

- (a) Permit Required. No person shall plant, prune, top or remove any tree or shrub on any public right-of-way or public property without first obtaining a permit from the City Arborist. The permit application shall be in a form designated by the City Arborist. Permit fees are listed in Chapter 1010.

- (b) Exemptions. The permit requirements of this section shall be followed except in the following circumstances:
 - (1) During a period of emergency, such as a tornado, ice storm, flood or other such extreme act of nature as declared by the City Arborist.
 - (2) If the failure to remove a tree would constitute an imminent danger to the environment, public property, public health, safety or welfare due to the hazardous or dangerous condition of such tree as determined prior to removal by the City Arborist.
 - (3) For necessary tree removal by a public agency or utility company within dedicated easements.
 - (4) If the tree is dead, dying or diseased as approved prior to removal by the City Arborist.
 - (5) In the event of an emergency or hardship as determined by the City Arborist.
- (c) Planting Requirements.
 - (1) No tree or shrub shall be planted in any of the public streets or right of way of the City by any developer or property owner, except as is provided in the Master Tree Plan heretofore adopted by the City. Any permit application for planting shall designate the species of trees to be planted, proposed spacing and the minimum caliper size, which shall be in conformance with the Master Tree Plan.
 - (2) No tree shall be planted under electric lines on any of the public streets of the City, which at the estimated full growth will exceed 25 feet in height, or as to interfere with the aforementioned utility lines.
- (d) Removal. The City may cause the removal of any existing tree in the right-of-way that does not conform with the Master Tree Plan.

1030.06 TREES ON PRIVATE PROPERTY.

- (a) Duty to Maintain Trees and Landscaping. The City Arborist shall have the authority, and it shall be their duty, to order the trimming, preservation or removal of trees or plants upon private property when they find such action necessary for the public safety or to prevent the spread of disease or insects. In the event the owner does not properly trim or remove any tree, plant, shrubbery or any part thereof, in accordance with the provisions of this chapter, then the City Arborist is authorized to cause to be trimmed or removed such tree, plant, shrub or part thereof.
 - (1) The owner shall trim or cause to be trimmed each tree so that a clear height of eight (8) feet between the lowest branches of the tree and the apron or sidewalk is maintained, and a clear height of 14 feet between the lowest branches of the tree and the street is maintained.
 - (2) The owner shall trim or remove, as the case may require, every dead, diseased, decayed or broken tree, plant or shrubbery, or part thereof, so that the same shall not fall to the street or sidewalk or pose other risk to public safety.
 - (3) The owner shall cut down and remove any tree, plant or shrubbery, or any part thereof, as may be necessary to provide a clear and unobstructed view of traffic from all directions at any street intersection, or to abate any nuisance necessary to protect life, limb or property of persons, drivers of any vehicles or pedestrians using such street or sidewalk.

- (b) Maintenance of Oak Trees. No oak trees shall be trimmed during the months of April through October in order to prevent the spread of Oak Wilt unless deemed necessary or hazardous after review by the City Arborist.
- (c) Notices, Orders and Abatement. If upon inspection the City Arborist determines that there has been a violation of this section, notice shall be given to the owner and/or responsible party in the manner prescribed below.
 - (1) The City Arborist shall issue a written Notice of Violation to the property owner by delivering it personally to the owner of the property, or by mailing a copy of such order to the last known address of the owner by first class mail. The order shall set forth a time limit, not to exceed 30 days for compliance. If the notice is returned showing the letter was not delivered, a copy thereof shall be posted in a conspicuous place on or about the property involved. Posting for 72 hours shall be considered legal notice.
 - (2) In case of extreme danger to persons or property as determined by the City Arborist, compliance may be required immediately, or the danger may be removed by the City by notifying the property owner by posting a written notice at the property or delivering the written notice personally to the owner.
 - (3) Upon failure to comply with the order within the specified time, the City may remedy the condition or contract with others for such purpose and charge the cost of abatement to the owner. Costs of city personnel and equipment will be computed on the basis of the rates on file with the Clerk of Council. The person remedying the condition shall be authorized to enter upon the premises for that purpose. The City's recoupment of cost shall follow the procedures in Chapter 215. The levying of such an assessment shall not affect the owner's liability for a fine as hereinafter provided.

1030.07 BOUNDARY LINE TREES.

- (a) When a boundary line tree trunk is on the line between two or more private properties, the respective property owners shall share the responsibility to care for and maintain the tree. In the event the tree becomes damaged, diseased or dies, the property owners will be expected to work together and shall be jointly responsible in the proper removal of the affected tree and its contents.
- (b) When a boundary line tree is between the public right-of-way or public and private property, the City shall be responsible to maintain and/or properly remove the tree.

1030.08 TREE PLANTING PLAN REQUIREMENTS.

- (a) Tree Requirements for New Development. The trees mandated by this section shall be planted prior to final grade approval, and shall be shown as a component of the grading plan as required by Chapter 1056.
 - (1) Residential Subdivision. There shall be a minimum of one (1) tree planted per dwelling unit which shall be no less than 2-inch minimum caliper. Trees are to be arranged with emphasis on the front facades. The initial height of trees is to be a minimum of six (6) feet.
 - (2) Commercial Development. Commercial developments subject to review under

Chapter 1243 must submit a landscape design plan when seeking approval to build or to expand. For new commercial development, there shall be a tree planted in a landscaped area for every 50 lineal feet of building perimeter or fraction thereof.

- (3) Tree Variety. Developers shall use a minimum of three different types of trees in their planting plan. More variety shall be required for larger planting plans. Monocultures promote both the spread of disease and also result in the natural deterioration by all trees at the same time in their natural life cycle. Both results are undesirable for the health of the trees and for the long-term beautification of the City and the environment. Therefore, a diverse planting plan with adequate variety is required.
- (b) Conflict. Should any provision of this section be unattainable due to geographic impracticalities or due to other unavoidable characteristics of the site, such provision may be waived by the City Arborist as long as the developer or applicant provides a reasonable alternative tree planting plan.

1030.09 PROHIBITED TREES.

The City Arborist shall maintain a list of prohibited trees. Prohibited trees shall also include any that appear on lists of prohibited or invasive plants published by the Ohio Department of Natural Resources, the Ohio Department of Agriculture, or the Ohio Invasive Plant Council.

1030.10 CONTRACTOR REGISTRATION.

All contractors performing tree trimming, removal or stump grinding must be registered with the City pursuant to Chapter 1446.

1030.11 NONCOMPLIANCE.

It shall be unlawful for any person, firm or corporation, to fail to abide by the terms of any tree preservation plan or tree removal permit issued by the City. If, in the opinion of the City Arborist, the necessary precautions as specified in the tree preservation plan were not undertaken before construction commenced or are not maintained at any time during construction, a stop work order will be issued by the City until such time as the permittee complies with these precautions.

1030.12 APPEALS.

Any person directly affected by a decision of the City Arborist or a notice or order issued under this chapter shall have the right to appeal the Board of Zoning and Building Appeals, provided that a written application for appeal is filed within the lesser of either ten (10) days after the date the notice or order was served or the date of the expiration of the compliance period set forth in the notice. Appeals of notices and orders shall stay the enforcement of the notice and order until the appeal is heard by the Board of Zoning and Building Appeals, except in the case of extreme danger to persons or property as determined by the City Arborist.

1030.99 PENALTIES.

Whoever violates any provision of this chapter or fails to comply with any written notice or order issued thereunder shall be guilty of a fourth-degree misdemeanor. Each day such violation occurs or continues shall constitute a separate offense.

CHAPTER 1032. MASTER TREE PLAN

1032.01 Short title; application

This chapter shall be known and may be cited as the Master Tree Plan of the City and shall have application to the planting, maintenance, control and removal of all trees, shrubs, hedges and brush within the rights of way or other public places of the City.

(Ord. 291-65, 9-7-65)

1032.02 Definitions

As used in this chapter:

- (a) "Brush" means uncontrolled, wild growth of woody plants.
- (b) "Hedge" means a group of woody plants planted in a line so as to form a barrier.
- (c) "Nursery" means orderly group plantings of trees or shrubs for commercial purposes.
- (d) "Orchard" means orderly group planting of fruiting trees or shrubs for the purpose of producing edible products.
- (e) "Shrub" means a woody plant which increases its size by growth from shoots at its base.
- (f) "Tree" means a woody plant which increases its size by growth from the upper buds.

(Ord. 291-65, 9-7-65)

1032.03 General requirements for planting and maintenance of trees

- (a) No single variety of tree shall constitute more than twenty percent of the total number of trees planted in any area.
- (b) The life expectancy of any tree at the time of planting shall be thirty-five years, with regard to site and placement.
- (c) All tree planting shall be made with ample consideration to overhead electrical service wires.
- (d) All repair and construction of underground utilities within the drip line of trees shall be done by boring methods. No trenching shall be permitted within the drip line area.
- (e) No tree shall be planted on City property in proximity to buildings or in any manner that, at maximum growth, would enable any branch or portion of the tree to come in contact with any structure.
- (f) Tree guards shall be placed around the base of young trees in areas where damage by rodents is prevalent.
- (g) Herbicides shall be used during dormant periods to control brush or weeds on City lands, ditches and roadsides.

(Ord. 291-65, 9-7-65)

1032.04 Method of establishing value of trees

In order to determine the value of growing trees in the event that trees on public property have to be destroyed, removed or planted, the following standards and methods are provided:

- (a) The base value of each tree shall be calculated at fifteen dollars (\$15.00), plus five dollars (\$5.00) for each inch of circumference of the trunk measured fifty-four inches above ground level. All trees of transplanting size shall be at replacement cost only.

- (b) The following additional factors shall be considered with relation to the computation of tree value and calculated by percentage of value as follows:

(1) Quality standard for variety:

A.	Special specimen	100% value
B.	Ornamental	50% value
C.	Common tree	75% value
D.	Poor quality or wood tree	50% value

(2) Condition and location:

A.	Well formed, ideal location	100% value
B.	Average form and location	75% value
C.	Poor form and location	50% value

(3) Age and vitality:

A.	Transplanting size	Cost
B.	Prime growth, mature	100% value
C.	Old, full-grown, no poor areas	50% value
D.	Degenerating, hollow	25% value

(4) Potential to landscape and buildings:

A.	Ideal, well landscaped	100% value
B.	Street trees, group plantings	75% value
C.	Isolated, no landscaping	25% value

(5) Susceptibility to insects and disease:

A.	Resistant varieties	100% value
B.	Regular varieties	75% value
C.	Host varieties	25% value

(Ord. 291-65, 9-7-65)

1032.05 Pruning and trimming

- (a) All pruning and trimming performed on trees under City control shall be done with emphasis on the maintenance of the natural growth habits of the variety.
- (b) Severe pruning shall be avoided in all cases except where necessary for power line clearance. Trees which must be trimmed severely so as to form a slab-side or other undesirable form shall be completely removed.
- (c) Water sprouts and sucker growth shall be removed from all trees under City control at least once annually. Trees which produce growths by habit are prohibited.

(Ord. 291-65, 9-7-65)

1032.06 Planting and care within specific areas

(a) Cemeteries.

- (1) Five percent of all trees planted within cemetery areas shall be of the evergreen variety.
- (2) Flowering type varieties of deciduous trees may be planted. Roadways within cemetery areas may be planted with deciduous trees with alternate spacing on each side.
- (3) No trees shall be planted over grave sites.

(b) Business Districts.

- (1) Formal sheared or dwarf-type trees or shrubs may be grown above the ground level in permanent-type containers on sidewalk areas.
- (2) No trees shall be planted permanently in the ground in business areas unless sufficient area is assured so that, at maximum growth, limbs will not obstruct walkways or come in contact with structures.
- (c) Parks and Playgrounds.
 - (1) Planting of trees and shrubs shall be done so as to avoid any concealment of adjacent or nearby walks, pathways or thoroughfares.
 - (2) Hedgerows shall be prohibited except as perimeter fences or screens.
- (d) Residential Areas.
 - (1) Only upright or horizontal growth-type trees shall be permitted within street areas.
 - (2) Drooping or weeping types of trees shall not be planted on public property if any portion of the tree, including underground or overhanging portions, might come into contact with or overhang public thoroughfares or sidewalks.
 - (3) The planting of trees along streets shall be between the sidewalk and the improved portion of streets, where possible.
 - (4) Any one variety of tree shall not exceed twenty percent of the total number of trees planted within any area. Four or five varieties of trees shall be planted within any area so as to prevent epidemic losses due to disease.
 - (5) All trees shall be planted at intervals of fifty feet, but with due consideration for lot area, driveways, sewers, electrical service, etc. Alternate spacing shall be provided for each side of the roadway.
 - (6) No planting shall be permitted so as to obscure street lighting or fire hydrants.
 - (7) No more than one tree may be planted on each circular area of a cul-de-sac.
 - (8) No planting of trees or shrubs shall be permitted on City streets in a close grouping so as to harbor weeds or debris.
 - (9) No fruit trees shall be planted on City streets.
 - (10) All hedgerows planted within fifty feet of a paved portion of any street shall be limited to thirty inches in height and twenty-four inches in width.
 - (11) Any area grown with brush shall be cleared by the property owner upon proper notice from the City. Failure of the property owner to act shall give the City cause to clear such areas and to charge the property owner for the cost of clearance. The City shall be authorized to obtain a judgment as in ordinary civil proceedings against such property owner for the cost of such clearance.
- (e) Highway and Arterial Road Areas.
 - (1) All tree planting shall be done outside of the improved portion of any road or street.
 - (2) On State and Federal highways, all planting shall be at least twenty-five feet from the improved portion of highways. On local arterial roads all planting shall be at least ten feet from the improved portion of roadways.
 - (3) No planting shall be made within fifty feet of any intersection. All plantings of trees shall be of upright, ground-type trees.
 - (4) All trees planted shall provide spacing in intervals of sixty to seventy-five feet, with consideration being allowed for existing property arrangements.
 - (5) No shrubs or fruit trees shall be planted within the above areas.

- (6) No planting shall be done so as to obscure any street light or fire hydrant.
- (7) Hedgerows planted within fifty feet of the improved portion of a roadway shall be limited to thirty inches in height and twenty-four inches in width.
- (8) Before any planting is performed or done within highway or road areas, communication shall be made with the appropriate County, State or City officials.

(Ord. 291-65, 9-7-65.; Ord. 4492-2007, 12-17-07)

1032.07 Street tree survey; planting guide

- (a) The Street Tree Survey and the Planting Guide are hereby made a part of this chapter as if fully incorporated herein and shall serve as a guide to the City Arborist in the enforcement of the provision of this chapter. These documents are on file with the Clerk of Council.
- (b) The Planting Guide, insofar as it recommends tree varieties for particular streets, shall be followed. As the Planting Guide of the City is extended to other streets and areas, it shall be followed insofar as planting requirements are concerned.

(Ord. 291-65, 9-7-65)

1032.08 Enforcement by city arborist

- (a) The provisions of this chapter shall be enforced by the City Arborist.
- (b) When a person to whom an order is directed fails to comply therewith within ten days, or within such other period as the City Arborist may authorize, the City Arborist shall remedy the condition or contract with others for such purpose and charge the cost thereof to the person to whom the order is directed. The person remedying a condition under a contract made hereunder shall be authorized to enter premises for that purpose.

(Ord. 291-65, 9-7-65)

1032.09 Tree planting plan requirements

- (a) Planting Requirements for all new Development.
 - (1) Residential Districts. There shall be a minimum of one (1) tree planted or retained per dwelling unit which shall be no less than 2" minimum caliper. Trees are to be arranged within the front, sides or rear yard areas with emphasis on the front facades. The average initial height of trees is to be 6 ft. minimum.
 - (2) Commercial Development. Commercial developments must submit a landscape design plan when seeking approval to build or to expand. Factors to consider when reviewing such plans include: a) whether the green areas are environmentally appropriate and aesthetically pleasing; b) whether safety issues are addressed and whether delivery of city services or safety forces are negatively impacted; c) how the landscaping plan impacts the functional utility of the property for its commercial purposes. Benches, grates, or other appropriate landscape materials designed and located in a manner complimentary to the overall architecture of the commercial establishment and of the surrounding buildings are encouraged. The intent is to encourage an equally spaced landscape envelope around the perimeter of the building to the degree practicable. Combining of tree planting areas is acceptable. Within the commercial development, the minimum number of trees to be planted shall be determined as follows: There shall be a tree planted in a landscaped area for every 50 lineal feet of building perimeter or fraction thereof.
 - (3) The trees required by this Chapter shall be planted in conformity with the provisions of NRCO Chapters 1030 and 1032, as well as all other ordinances. The trees mandated by this section shall be planted prior to final grade approval, and shall be shown as a component of the grading plan as required by NRCO Chapter 1444.

(b) Major Arterial Roadway Tree Requirements.

- (1) Trees noted below as prohibited plantings are not to be used on City-owned public property. City-owned public property shall include all public right-of-ways, streets, alleys, parks, or other property owned by the Municipality.
- (2) The maximum spacing between trees shall be one hundred feet (100') for large trees, eighty feet (80') for medium trees, and sixty feet (60') for small trees.
- (3) The tree location shall be at least thirty-five (35') feet from street intersections and ten feet from fire hydrants or utility poles.
- (4) A small tree shall be used when planting under or within ten (10) lateral feet of overhead utility wires. A small or medium tree shall be used when planting within ten to twenty lateral feet of overhead utility wires. No tree, at maturity, shall exceed the height of the utility line.
- (5) Trees may be of the same genus and species matched in form and size and planted continuously down a street. However, consideration must then be given to introducing other tree genus and species for other streets or cul-de-sacs in the same development. The prohibitions contained in subsection (d) herein must be observed.
- (6) The minimum trunk caliper measured at six inches above the root ball for all street trees shall be no less than two (2) inches.

(c) Prohibited Plantings.

- (1) No person shall cause to be planted any large tree within 30-feet of any public utility line above or below the ground including sewers, drains, manholes and inlets.
- (2) No person shall cause to be planted any tree listed herein below on any public property or rights-of-way in the City, except as approved by the Safety Service Director:
 - A. Silver Maple (*Acer Saccharinum*)
 - B. Box Elder (*Acer Negundo*)
 - C. Horse Chestnut (*Aesulus Hoppocastanum*)
 - D. Tree of Haven (*Ailanthus Altissima*)
 - E. Birches, all species and varieties except *Betula Nigra* (River Birch Tree Form) (*Betula*)
 - F. All species and varieties (*Catalpa*)
 - G. All species, except as approved by the Safety Service Director (*Malus*)
 - H. Mulberry, all species and varieties (*Morus*)
 - I. American Sycamore (*Plantanus Occidentialis*)
 - J. London Plane (*Plantanus X Acerifolia*)
 - K. Poplar, all species and varieties; includes aspen and cottonwood (*Populus*)
 - L. Black Locust (*Robinia Pseudoacacia*)
 - M. All species and varieties; includes willows and osiers (*Salix*)
 - N. European Mountain Ash, Rowan (*Sorbus Aucuparia*)
 - O. Siberian Elm (*Ulmus Pumila*)

(d) Guidelines and Prohibitions.

- (1) Large trees are those which exceed fifty (50') feet in height at maturity. Medium trees are between thirty (30') feet and fifty (50') feet in height at maturity.

- (2) Trees transplanted under or near overhead utility lines shall not exceed, at maturity, the height of the lines.
 - (3) Developers shall use a minimum of three different types of trees in their planting plan. More variety shall be required for larger planting plans. Monocultures promote both the spread of disease and also result in the natural deterioration by all trees at the same time in their natural life cycle. Both results are extremely undesirable for the health of the trees and for the long term beautification of the City and the environment. Therefore, a diverse planting plan with adequate variety is required.
- (e) Conflicts.
- (1) Should any provision of this section be in conflict with any other provision of the Codified Ordinances, the provisions of this ordinance shall prevail unless the Safety Service Director or his designee, determines otherwise for practical and articulable reasons.
 - (2) Should any provision of this section be unattainable due to geographic impracticalities or due to other unavoidable characteristics of the site, such provision may be waived by the Safety Service Director or his designee as long as the developer or applicant provides a reasonable alternative tree planting plan.
- (f) Enforcement. Final approval of all required tree planting plans shall be reviewed and obtained in writing from the Safety Service Director or his designee, and shall accompany the plans for development before final Planning Commission approval where applicable, or before final approval by the City Engineer where otherwise applicable.

(Ord. 4699-2009, 12-7-09)

1032.99 Penalty; equitable remedies

- (a) Whoever violates any of the provisions of this chapter is guilty of a misdemeanor of the fourth degree and shall be fined not more than two hundred fifty dollars (\$250.00) or imprisoned not more than thirty days, or both, for each offense. A separate offense shall be deemed committed each day during or on which a violation occurs or continues.
- (b) For the purpose of enforcing this chapter, the City Arborist or the Safety-Service Director is authorized to bring injunctive proceedings or such other equitable proceedings as are necessary to obtain compliance.

DATE:	<u>March 17, 2025</u>	1 ST READING:	<u>March 17, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-51

AN ORDINANCE 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 2025 CRACK SEAL PROJECT AND OTHER APPURTENANCES.

WHEREAS, the City of North Ridgeville Service Department has identified the need to crack seal various roadways throughout the City of North Ridgeville that need such routine maintenance; and

WHEREAS, this routine maintenance project will prolong the life of the pavements along the various roadways; and

WHEREAS, the estimated amount of lane miles to be crack sealed with this project is approximately 50 lane miles; and

WHEREAS, bidding documents and specifications will be prepared and made available by the Engineering Division for this project.

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

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to 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 2025 Crack Seal Project and other appurtenances in an amount not to exceed \$150,000.00.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

DATE:	<u>March 17, 2025</u>	1 ST READING:	<u>March 17, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-52

**AN ORDINANCE 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 2025 CATCH BASIN
REHABILITATION PROJECT, INCLUDING OTHER
APPURTENANCES.**

WHEREAS, the City of North Ridgeville Service Department has identified the need to adjust and/or reconstruct various catch basing throughout the City that are in need of repair; and

WHEREAS, the Engineering Division will review the list of catch basins from the Service Department and Engineering's field review to create the detailed exhibits for the bidding documents; and

WHEREAS, it is expected that approximately 50 catch basins in need of repair will be addressed by either adjustment or complete reconstruction; and

WHEREAS, the bidding documents and specifications will be prepared and made available by the Engineering Division for this project; and

WHEREAS, the City of North Ridgeville has appropriated the necessary funds to perform this work.

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

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to 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 2025 Catch Basin Rehabilitation Project and other appurtenances in an amount not to exceed \$130,000.00.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

DATE: March 17, 2025
INTRODUCED BY: Mayor Corcoran
REFERRED BY: _____

1ST READING: March 17, 2025
2ND READING: _____
3RD READING: _____
ADOPTED: _____
EMERGENCY: _____
EFFECTIVE: _____

ORDINANCE NO. 2025-53

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE CITY OF
NORTH RIDGEVILLE, OHIO, TO ADVERTISE FOR BIDS AND
NEGOTIATE CONTRACT(S) FOR A TWELVE-MONTH PERIOD,
ACCORDING TO LAW AND IN A MANNER PRESCRIBED BY LAW,
FOR THE PURCHASE OF ROADWAY MATERIALS TO BE USED
BY 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. The Mayor is hereby authorized to advertise for bids according to law, and in a manner prescribed by law, for the purchase of roadway materials such as asphalt concrete, sand, limestone, concrete, including application charges and delivery charges.

SECTION 2. The Mayor is hereby authorized to negotiate contract(s) for the above materials with the lowest and best bidder(s).

SECTION 3. The cost of said roadway materials shall be charged to and paid from the appropriate City funds in accordance with use consumption.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

DATE:	<u>March 17, 2025</u>	1 ST READING:	<u>March 17, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-54

**AN ORDINANCE AUTHORIZING THE MAYOR OF THE
CITY OF NORTH RIDGEVILLE TO ADVERTISE FOR
BIDS AND NEGOTIATE A CONTRACT ACCORDING TO
LAW AND IN A MANNER PRESCRIBED BY LAW FOR
THE RENTAL OF EQUIPMENT AND RELATED
SERVICES FOR ROAD REPAIR AND MAINTENANCE TO
BE USED BY THE SERVICE DEPARTMENT.**

WHEREAS, the rental of equipment and services for road repair and maintenance is needed for the City of North Ridgeville Service Department's Street Paving Program, which is scheduled to begin in April 2025, and end in November 2025.

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 advertise for bids and negotiate a contract according to law and in the manner prescribed by law for the rental of equipment and related services, as listed in Exhibit A attached hereto and incorporated as if rewritten herein, for road repair and maintenance to be used by the Service Department.

SECTION 2. The rental costs are not to exceed the amount appropriated and shall be charged to and paid from the appropriate City funds.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED: _____

MAYOR

Exhibit A**TRUCK RENTAL & EQUIPMENT RENTAL SPECIFICATIONS/BID FORM**
INCLUDING OPERATOR WHERE STATED

The following is a list of possible equipment needed for the City of North Ridgeville Service Department's Street paving program, which is scheduled to begin April 2025, and should be completed by November 2025, weather permitting. For each listed item, state whether the equipment is available during that time period. If availability is limited, state the dates that the equipment is available.

All prices shall include mobilization.

A. TRUCKS

1) TANDEM AXLE

Driver included for excavation and
material handling\$ _____/hour

Availability: _____

2) TRI-AXLE

Driver included for excavation and
material handling\$ _____/hour

Availability: _____

3) TACK COAT DISTRIBUTOR W/ OPERATOR.....\$ _____/hour

Availability: _____

Terms: _____

4) RENTAL OF 250 GALLON TAG-ALONG TACK

KETTLE.....\$ _____/week

B. EQUIPMENT RENTAL

1) CAT PR105, or equivalent..... \$ _____/hour
\$ _____/week

Availability: _____

2) WIRTGEN 1000, or equivalent

Capable of milling asphalt or concrete from 12" to 40" wide

In a single pass at depths of 1" to 7" w/self-loading capabilities

with operator \$ _____/hour

Availability: _____

NAME OF BIDDER _____

3) DOZER

CAT D-6 or equivalent

Model _____ \$ _____/hour

Make _____ \$ _____/week

Availability: _____

4) CAT D-8 or equivalent

Model _____ \$ _____/hour

Make _____ \$ _____/week

Availability: _____

5) ROAD WIDENER

Model _____ \$ _____/hour

Make _____ \$ _____/week

Availability: _____

COST OF OPERATOR..... \$ _____/week

Terms: _____

NAME OF BIDDER _____

- 6) TYMCO, or equivalent, REGENERATED AIR SWEEPER,
WITH SELF-LOADING CAPABILITIES, W/OPERATOR

Model _____ \$ _____/hour

Make _____ \$ _____/week

Availability: _____

Minimum Hours Required: _____

- 7) SELF-PROPELLED VAC-ALL, or equivalent, W/OPERATOR

Model _____ \$ _____/hour

Make _____ \$ _____/week

Availability: _____

NAME OF
BIDDER _____

DATE:	<u>March 17, 2025</u>	1 ST READING:	<u>March 17, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u></u>
		EFFECTIVE:	<u></u>

ORDINANCE NO. 2025-55

**AN ORDINANCE PROVIDING FOR THE AMENDMENT OF CHAPTER 1010
ENGINEERING PERMITS AND FEES IN THE STREETS, UTILITIES AND PUBLIC
SERVICES CODE.**

WHEREAS, Chapter 1010 of the Codified Ordinances establishes engineering permit requirements and associated fees to ensure proper regulation and oversight of construction activities; and

WHEREAS, the City seeks to update Chapter 1010 to ensure adequate cost recovery for services provided and enhance clarity in engineering permit and inspection requirements; and

WHEREAS, the proposed amendments will additionally modify procedures and requirements for deposits in cases of extended grading completion timelines; and

WHEREAS, it is the desire of this Council to amend these Codified Ordinances.

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

SECTION 1. Chapter 1010 *Engineering Permits and Fees* shall be amended as set forth in the document attached to this Ordinance as **Exhibit A**.

SECTION 2. All other ordinances or parts of ordinances or resolutions that are inconsistent or in conflict with the newly amended and adopted chapter are likewise repealed to the extent of such inconsistency or conflict only.

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: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

CHAPTER 1010 ENGINEERING PERMITS AND FEES

1010.01 Permit fees

Applicable fees shall be collected by the City Engineer prior to issuance of a permit. The fee for those miscellaneous engineering permits specified in this section shall be as follows:

(a)	Apron, curb cut	\$80
(b)	Backflow preventer	\$80
(c)	Culvert pipe/ditch enclosure	\$80
(d)	Downspouts	\$80
(e)	Grading	\$80
(f)	Lawn sprinkler/irrigation system	\$80
(g)	Oversized trucks	\$30
(h)	Sanitary lateral and/or clean out	\$80
(i)	Sanitary sewer tap-in at main	See Chapter 1044
(j)	Sidewalk	\$80
(k)	Small cell wireless facility	\$250
(l)	Storm sewer	\$80
(m)	Street opening	See Chapter 1020
(n)	Tree clearing (1 + acre)	\$150
(o)	<u>Tree planting or removal (public/ROW)</u>	<u>\$80</u>
(op)	Water meter	\$80
(pq)	Water	
(1)	Water tap at main	See Chapter 1046
(2)	Service connection	See Chapter 1046

1010.02 Additional fees

- (a) Credit card fee. A convenience fee may be applied to any credit card transaction in an amount sufficient to cover the City's administrative cost of processing payment.
- (b) Work without permit. Where work for which a permit is required is started prior to obtaining such permit, the fees required by such permit shall be doubled, but the payment of such double fee shall not relieve any person from fully complying with the requirements of this chapter or other applicable codes.

1010.03 Plan reviews and inspections

- (a) Residential subdivision. Developers proposing to construct a new residential subdivision shall be responsible for engineering plan review and inspection costs as follows:
 - (1) Plan review deposit. Each applicant shall be required to deposit funds with the City Engineer for purposes of plan review at the time of permit application. Such deposit shall be \$2,000 plus \$90 per lot.
 - (2) Fees for plan review. Charges against the plan review deposit shall be based on the actual time spent in review of improvement plans and revisions to plans by city personnel or the actual cost of such services provided by an outside plan reviewer. Costs of city personnel will be computed on the basis of the rates on file with the Clerk of Council.
 - (3) Inspection deposit. At the time of permit issuance, the permit holder shall deposit a sum of money with the City for engineering inspection services as required in the developer's agreement.

- (4) Fees for inspections. Charges against the inspection deposit shall be based on the actual time spent inspecting construction work by city personnel. Costs of city personnel will be computed on the basis of the rates on file with the Clerk of Council.
- (b) Individual dwelling. Builders proposing to construct a new residential dwelling shall be responsible for engineering plan review and inspection costs as follows:
- (1) Plan review and inspection fees. Each applicant shall pay a fee of \$425 at the time of permit application for required plan reviews and inspections including SWP3, grading, topographical survey and as-built plans. After approval is granted of the topographical survey, the applicant shall pay an additional plan review fee of \$100 for any changes to the topographical survey.
 - (2) Reinspection deposit. At the time of permit issuance, the permit holder shall deposit \$500 with the City for engineering reinspections. When extra engineering inspections are made necessary by reason of deficient or defective work or otherwise through fault or error on the part of a permit holder or their employees, each and every further engineering inspection shall be deemed a reinspection, the cost of which shall be assessed to the applicant. Any unused funds deposited shall be refunded to the applicant once a project has received all final approvals.
 - (3) Fees for reinspection. Extra inspections shall be charged against the deposit at the rate of \$100 per inspection.
- (c) Commercial, multi-family, industrial or other site plan. Developers proposing to construct a new commercial, multi-family or industrial project shall be responsible for engineering plan review and inspection costs as follows:
- (1) Plan review deposit. Each applicant shall be required to deposit funds with the City Engineer for purposes of plan review at the time of permit application. For new construction, such deposit shall be \$2,500 for the first acre plus \$500 for each additional acre or fraction thereof of the total project site. For additions and alterations, such deposit shall be calculated at the same rate based upon disturbed area.
 - (2) Fees for plan review. Charges against the plan review deposit shall be based on the actual time spent in review of improvement plans and revisions to plans by city personnel or the actual cost of such services provided by an outside plan reviewer. Costs of city personnel will be computed on the basis of the rates on file with the Clerk of Council.
 - (3) Inspection deposit. At the time of permit issuance, the permit holder shall deposit \$500 per acre or fraction thereof of the total project site with the City for engineering inspections.
 - (4) Fees for inspections. Charges against the inspection deposit shall be based on the actual time spent inspecting construction work by city personnel. Costs of city personnel will be computed on the basis of the rates on file with the Clerk of Council.
- (d) Additional funds. Should any deposits required in (a) through (c) above be exhausted, the City may require additional deposits to be made by the applicant. No certificate of occupancy shall be issued until all fees are paid in full.

1010.04 Completion of final grading

- (a) Prior to the issuance of a certificate of occupancy, and at the time of final grade inspection for any newly constructed residential dwelling or commercial building, the owner or contractor shall first submit to the City Engineer an attestation sealed by an Ohio registered surveyor affirming that the final site elevations and building locations are in accordance with previously approved grading plans, permits and authorizations relating to the subject project.
- (b) Seeding and/or mulching shall comply with the approved grading plan. Seeding shall include a uniform perennial vegetative cover as approved by the City Engineer. Acceptable mulching includes straw, burlap,

erosion-control matting or as otherwise approved by the City Engineer. The main purpose of seeding and/or mulching shall be to control soil erosion and reduce storm water runoff associated with bare soil.

- (c) Within 21 calendar days, weather permitting, after approval of the final grading, the owner will seed and mulch all bare soil and plant trees. In the meantime, appropriate methods must be utilized by the owner to control soil erosion, such as bales of straw, straw mulch or other approved methods. Upon timely request made to the City Engineer, tree planting may be postponed to a date certain, not to exceed six months after approval of the final grading, if the postponement is found to be necessary due to seasonal climate concerns in order to ensure and promote the viability of the tree species.
- (d) If any provision of this section is in conflict with the Ohio Environmental Protection Agency's regulations, including, but not limited to, the Storm Water Pollution Prevention Plan (SWP3), the more stringent regulations shall apply.

1010.05 Cash deposit ~~or bond~~ to guarantee completion of grade

- (a) Where completion of the Final Grade Checklist prior to occupancy of any newly constructed residential dwelling or commercial building is not feasible due to weather or unforeseen conditions, the builder and property owner (or purchaser, if ownership has not yet transferred from the builder) may request an extension of time to perform the work. Such request shall be made in writing on a form provided by the City Engineer.
- ~~(b) In lieu of finished grade completion prior to occupancy of any newly constructed residential dwelling or commercial building~~Where an extension is approved by the City Engineer, the builder or owner/purchaser shall furnish a \$5,000 cash deposit ~~or a \$5,000 bond~~ for up to the first acre plus \$1,000 for each additional acre thereafter of disturbed area (minimum \$5,000 not to exceed \$25,000), guaranteeing the completion of the finished grade and installation of all required landscaping no later than six months after issuance of the conditional certificate of occupancy. Once the final grade is completed, the certificate of occupancy shall be updated and reissued.
- ~~(b) The builder shall have the ability to have a revolving performance bond on file with the City per phase. The revolving bonds may not exceed \$25,000 per builder per phase.~~
- (c) If an owner/purchaser chooses to submit the deposit ~~or bond~~ required in subsection (a), they are acknowledging responsibility for the completion of work, even though it may contradict a separate agreement with their builder.
- (d) Permits for projects requiring establishment of finished grade (fences, accessory structures, etc.) shall not be issued until such time final grading is complete and approved by the City Engineer.
- (e) If work final grading is not completed within the required timeframe, the bond or deposit required in this section shall be forfeited to the City which may cause the work to be completed and the cost of such work in excess of the deposit or bond, if any, shall be assessed to the property taxes in the form of a lien.
- (f) Whoever violates any provisions of this section is guilty of a misdemeanor of the fourth degree. The imposition of penalties shall not preclude the City from pursuing civil remedies against the builder and/or owner to ensure completion of final grade or taking other action against the builder, including revocation of the builder's contractor registration certificate.

1010.06 Fire hydrant use permits

- (a) Permit required. No person shall use water from street hydrants without a permit issued by the City Engineer. The applicant shall submit a completed rental agreement with required fees and deposits prior to obtaining the permit and the hydrant meter and backflow preventer assembly.
- (b) Fees. Each applicant will be charged an administrative fee of \$150 and a maintenance fee of \$100.

- (c) Deposit. Each applicant shall be required to deposit \$2,250 for use of the City's equipment. Charges against the deposit shall include actual water usage costs and the costs associated with making any necessary repairs for damage to the equipment. A \$50 charge against the deposit shall be made for each month, or fraction thereof, the equipment is not returned after the rental agreement term expires. Should the deposit required in this section be insufficient to cover these charges, the applicant will be responsible for paying the balance within 30 days of returning the equipment.

DATE:	<u>March 3, 2025</u>	1 ST READING:	<u>March 3, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EFFECTIVE:	<u></u>

RESOLUTION NO. 2025-41

**A RESOLUTION TO APPROVE THE APPLICATION MADE BY RICHARD STASH
TO HAVE CERTAIN LAND OWNED BY THEM DESIGNATED AS BEING LOCATED
WITHIN AN AGRICULTURAL DISTRICT.**

WHEREAS, the General Assembly of the State of Ohio has enacted Sections 929.01 to 929.05 and 6111.034 of the Ohio Revised Code to permit the establishment of Agricultural Districts to preserve agricultural land, to exempt land in those Districts from the collection of specified utility assessments, to provide other benefits for land in those districts, to forbid township and county zoning from restricting certain farm markets, and to provide a right to farm by exempting generally accepted agricultural practices from air pollution laws and certain nuisance statutes, rules, and ordinances; and

WHEREAS, Section 929.03 (D) provides that the legislative authority of a municipal corporation may apply to the Water and Sewer Commission, created by division (B) of Section 1626.11 of the Ohio Revised Code, for an advance of money from the Water and Sewer Special Account, created by division (A) of Section 1525.11 of the Ohio Revised Code, in an amount equal to that portion of the costs of water and sewer improvement authorized by law that is to be financed by assessments whose collection would be prohibited on real property that is within an Agricultural District; and

WHEREAS, Section 929.02(B) provides that the legislative authority of a municipal corporation may reject or modify an application for inclusion in an Agricultural District filed pursuant to 929.02(A), if such rejection or modification is necessary to prevent a substantial, adverse effect on, among other things, the provision of municipal services within the municipality or the public health, safety or welfare; and

WHEREAS, the Water and Sewer Account, established by division (A) of Section 1525.11 of the Ohio Revised Code, has not yet been funded; and

WHEREAS, the legislative authority of a municipal corporation is required to review each application for inclusion in Agricultural Districts made by an owner of real property which is located within the municipal corporation by approving, rejecting, or approving with modifications within a statutory time frame; and

WHEREAS, Andrew A. Rak, have filed such an application, which is attached hereto and incorporated herein as though fully rewritten.

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

SECTION 1. Approves that application for all purposes encompassed by Sections 929.01 to 929.05 and 6111.034 of the Ohio Revised Code except for the following, which constitutes a modification authorized by Section 929.02(B) of the Ohio Revised Code, the necessity of which is demonstrated by the above recitals.

The real estate, which is the subject of the instant application, will not be deemed exempt from the collection of special assessments for water, sewer, or electrical service until the Council of the City of North Ridgeville deems itself assured of the receipt of such advanced funds.

At such time in the future when the Council shall resolve to enact any relevant improvement for which a special assessment must be levied upon real estate, including that which falls within the designation of an Agricultural District, the Clerk of Council's Office will notify all property owners, whose application for inclusion in an Agricultural District has been approved with the instant modification, by certified mail, return receipt requested, of the fact that such Resolution has been made.

At the time of such Resolution, Council will pursue the application for advancement of money from the Water and Sewer Commission to cover the assessments allocated to property located within Agricultural Districts. All property owners will be advised at public meetings of the progress and/or result of the Council's application for funds. Owners of property located within an Agricultural District will be notified of the result of such application by certified mail, return receipt requested.

At such time as the Council deems itself assured of the receipt of the advanced funds, it shall lift the instant modification and, thereby, grant exemption to all the properties located within Agricultural Districts, effective on the date of their original application. Otherwise, it may grant exemption with the modification pursuant to Section 929.02(B) of the Ohio Revised Code.

In the event that Council's application is rejected by the Commission, the instant modification will remain in effect and special assessment taxes will be levied upon property within an Agricultural District.

SECTION 2. That is found and determined that all formal actions of this Council concerning and relating to the adoption 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, in compliance with all legal requirements including 121.22 of the Ohio Revised Code.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____

MAYOR

**APPLICATION FOR PLACEMENT OF
FARMLAND IN AN AGRICULTURAL DISTRICT
(O.R.C. Section 929.02)**

(See page 4 for General Information regarding this Application)

New Application _____
Renewal Application ☒

INSTRUCTIONS FOR COMPLETING APPLICATION

Print or type all entries.

- o List description of land as shown on the most recent tax statement or statements. Show total number of acres.
- o Describe location of property by roads, etc., and taxing district where located.
- o State whether any portion of land lies within a municipal corporation.
Note: See "Where to File" on page 4 to be sure that a copy of this Application is also filed with the Clerk of the municipal legislative body as well as the County Auditor.
- o A renewal application must be submitted after the first Monday in January and prior to the first Monday in March of the year in which the agricultural district terminates for the land to be continued in this program.
- o If the acreage totals 10 acres or more, do not complete Part D.
- o If the acreage totals less than 10 acres, complete either D (1) or (2).
- o Do not complete page 3. This space to be completed by the County Auditor and/or Clerk of the municipal legislative body.

A. Owner's Name: Richard D. Stash

Owner's Address: 35395 Lorain Rd.
N. Ridgeville, OH 44039

Owner's Email (optional):¹ N.A.

Description of Land as Shown on Property Tax Statement:
25.09 Acres

Location of Property:
 Street or Road- 35395 Lorain Rd.
 County- Lorain

TAX DISTRICT(S)	PARCEL NUMBER(S)	# of Acres
<u>N. Ridgeville City</u>	<u>09-10-024-102-013</u>	<u>25.09</u>
Total Number of Acres		<u>25.09</u>

- B. Does any of the land lie within a municipal corporation limit or subject to pending annexation?
 Yes ☒ No ☐

If YES, REMEMBER a copy of this application must be submitted to the Clerk of the municipal legislative body.

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

- C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code? Yes ☒ No ☐

If NO, complete the following showing how the land was used the past three years:

	ACRES		
	LAST YEAR	TWO YEARS AGO	THREE YEARS AGO
Cropland			
Permanent Pasture used for animal husbandry			
Woodland devoted to commercial timber and nursery stock			
Land Retirement or Conservation Program pursuant to an agreement with a federal agency			
Building areas devoted to agricultural production			
Roads, building areas, and all other areas not used for agricultural production			
Total Acres			

- D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government? Yes ☒ No ☐

If NO, complete the following:

1. Attach evidence of the gross income for each of the past 3 years, if the average yearly income from agricultural production was at least twenty-five hundred (\$2,500.00) dollars or more, or
2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred (\$2,500.00) dollars or more, evidence must be attached showing the anticipated gross income.

Authorization and Declaration

By signing this application, I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct application. I understand that land removed from this program before the 5-year enrollment period is subject to penalty, in accordance with Section 929.02(D) of the Ohio Revised Code.

Signature of Owner:

Date:

Richard D. Stach

1/19/25

DO NOT COMPLETE FOR OFFICIAL USE ONLY

CAUV Application No. 2024-0123**Action of County Auditor**Application Approved ☒Rejected ☐ *

* Pending City Approval

Date Application Filed with County Auditor Jan. 14, 2025

Date Filed (if required) with Clerk of Municipal Corporation _____

County Auditor's Signature J. Craig Andgrass /s/ Date 1-30-2025Date Decision Mailed and Emailed¹ to Applicant 1-30-2025, in office.Email Address¹ _____**OR**

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

Action of Legislative Body of Municipal Corporation

Application Approved _____ Approved with Modifications _____ * Rejected _____ *

Date Application Filed with Clerk _____

Date of Public Hearing _____

Date of Legislative Action _____

Clerk's Signature _____ Date _____

Date Decision Mailed and Emailed¹ to Applicant _____Email Address¹ _____**OR**

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

* IF MODIFIED OR REJECTED, ATTACH SPECIFIC REASONS FOR MODIFICATION OR REJECTION

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

DATE:	<u>February 18, 2025</u>	1 ST READING:	<u>February 18, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u>N/A</u>
		EFFECTIVE:	<u>N/A</u>

ORDINANCE NO. 2025-35

AN ORDINANCE 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 ROADWAY RESURFACING OF CAROLYN DRIVE, LUANNE DRIVE AND MONICA DRIVE AND OTHER APPURTENANCES.

WHEREAS, it has been determined that Carolyn Drive, Luanne Drive and Monica Drive roadways have reached their useful life and are in need of rehabilitation to meet the safety needs of the traveling public; and

WHEREAS, plans and bidding documents will be available in the City of North Ridgeville Engineering Department for construction of the roadway resurfacing for Carolyn Drive, Luanne Drive and Monica Drive; and

WHEREAS, the Community Development Block Grant (CDBG) Program of Lorain County has awarded funds to the City of North Ridgeville in the amount of \$150,000.00 to provide infrastructure improvements for this low- and moderate-income (LMI) service area and the remaining \$140,000.00 has been appropriated by the City of North Ridgeville.

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

SECTION 1. The Mayor of the City of North Ridgeville, Ohio, is hereby authorized to 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 resurfacing of Carolyn Drive, Luanne Drive and Monica Drive in an amount not to exceed \$290,000.00.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

APPROVED: _____
MAYOR

DATE:	<u>February 18, 2025</u>	1 ST READING:	<u>February 18, 2025</u>
INTRODUCED BY:	<u>Mayor Corcoran</u>	2 ND READING:	<u></u>
REFERRED BY:	<u></u>	3 RD READING:	<u></u>
		ADOPTED:	<u></u>
		EMERGENCY:	<u>N/A</u>
		EFFECTIVE:	<u>N/A</u>

RESOLUTION NO. 2025-37

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
DELINQUENT DEBT COLLECTION AGREEMENT WITH THE
OHIO ATTORNEY GENERAL PURSUANT TO R.C. 131.02 FOR THE
COLLECTION OF DELINQUENT DEBTS OWED TO THE CITY.**

WHEREAS, the Mayor, Mayor’s Court Clerk, Finance Director, and Law Director have recommended that the City enter into a Delinquent Debt Collection Agreement (“Agreement”) with the Ohio Attorney General wherein the Attorney General agrees to undertake the collection of delinquent debt owed to the City pursuant to R.C. Sec. 131.02, including delinquent debts owed to Mayor’s Court; and

WHEREAS, pursuant to R.C. Sec. 131.02, the Attorney General is authorized to deduct the Attorney General’s collection cost from all amounts collected, calculated upon all certified amounts recovered, plus interest and fees accruing from the date of certification to Attorney General and the City and the Attorney General agrees that the Attorney General will pass all Attorney General costs on to the debtor as an additional obligation of debtor. The Attorney General collection cost is 10% pursuant to R.C. Sec.109.08.

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

SECTION 1. The Mayor is hereby authorized to enter into a Delinquent Debt Collection Agreement (“Agreement”) with the Ohio Attorney General wherein the Attorney General agrees to undertake the collection of delinquent debt owed to the City pursuant to R.C. Sec. 131.02, including delinquent debts owed to the Mayor’s Court, as set forth in the attached Agreement which is incorporated as if fully rewritten 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 Section 121.22 of the Ohio Revised Code.

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

PASSED: _____

PRESIDENT OF COUNCIL

ATTEST: _____

CLERK OF COUNCIL

APPROVED: _____

MAYOR



DAVE YOST
OHIO ATTORNEY GENERAL

Collections Enforcement
Office 614-466-8360
Fax 614-752-9070

30 E Broad St, 14th Floor
Columbus, OH 43215
www.OhioAttorneyGeneral.gov

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

City of North Ridgeville

I. PARTIES

1.1. THIS DELINQUENT DEBT COLLECTION AGREEMENT (this "Agreement") is between the Ohio Attorney General (hereinafter "Attorney General") and **City of North Ridgeville** (Political Subdivision"), collectively referenced herein as the "Parties."

II. PURPOSE

2.1. The Political Subdivision has requested that the Attorney General undertake, and the Attorney General agrees to undertake, the collection of delinquent debt owed to the Political Subdivision, pursuant to Ohio Revised Code ("O.R.C.") § 131.02. This Agreement sets forth the rights, duties and obligations of the Parties and the amounts to be charged, collected and allocated between the Political Subdivision and Attorney General. This Agreement will become effective in ten business days once fully executed ("Effective Date").

III. CERTIFICATION OF DEBT

3.1. The Parties agree that this Agreement shall apply to amounts owed to Political Subdivision that meet the criteria specified on the attached Exhibit "A" (hereinafter the "Debt"). The Parties may, from time to time, change the categories of debt to be certified to the Attorney General by amending Exhibit "A" pursuant to the discretion of the Section Chief of the Collections Enforcement Section of the Attorney General and of the Political Subdivision. Such changes to the categories of debt identified on Exhibit "A" shall not be construed as an amendment or termination of this Agreement.

3.2. Political Subdivision hereby warrants that all Debts certified to the Attorney General for collection pursuant to this Agreement are or will be legally due and owing to Political Subdivision at the time of certification.

3.3. Political Subdivision hereby warrants that it has complied or will comply with all conditions precedent to the legality of certifying the Debt for collection prior to certifying the Debt to Attorney General pursuant to this Agreement.

3.4. Political Subdivision hereby warrants that it has obtained the approval of any person or entity whose approval is required as a condition to entering into this Agreement. True and correct copies of any such approvals shall be attached hereto as Exhibit "B."

3.5. Political Subdivision shall identify and itemize the amounts owed in any bills or mailings issued to the debtors prior to certifying the Debt pursuant to this Agreement. Such itemization shall separately identify penalties, fees, costs and interest, if any, added to the principal balance of the amounts owed. For all Debt certified under this Agreement, Political Subdivision shall maintain account records documenting the principal balance of the amounts owed, as well as any penalties, fees, costs and interest, from the date such debt becomes due and owing to Political Subdivision until the debt is paid in full, resolved or written off as specified herein.

3.5.1 In regards to income tax Debt, Political Subdivision hereby warrants that procedures outlined in R.C. 718.18 were complied with, and that notice to such income tax debtors was provided by certified mail. Within this notice, there must be an indication that this debt will be referred for collection by federal and state tax refund offset.

3.6. Political Subdivision shall make all account records related to the Debt fully available to specified Attorney General personnel in order for the Attorney General to actively identify and pursue collection activities. Political Subdivision shall retain account records related to the Debt so long as the Debt remains outstanding, or until the Debt is resolved or written off as specified herein.

3.7. Political Subdivision agrees and shall forward all payments received on certified Debt to the Attorney General. In the event that Political Subdivision accepts a debtor's payment on Debt certified to the Attorney General, Political Subdivision agrees to promptly notify the Attorney General of the details of the payment, including date, amount, remitter, check or instrument number and forward the payment to the Attorney General.

3.8. In the event that any debtor owing Debt certified to the Attorney General files bankruptcy or other insolvency proceeding, Political Subdivision shall immediately notify the Attorney General of such filing. The Attorney General may cease all collection efforts with regard to such Debt. Political Subdivision remains exclusively and solely responsible for protecting its interest in bankruptcy & other insolvency proceedings. Upon notice that Debt certified to the Attorney General is subject to bankruptcy or other insolvency proceeding, the Attorney General may close the affected accounts and such accounts shall no longer be considered to be certified to the Attorney General. Other insolvency proceeding may include but is not limited to receivership or foreclosure.

IV. ALLOCATION OF FEES AND COLLECTION COSTS

4.1 The client may choose for each account certified to the Attorney General to bear interest (hereinafter "AGI") at the annual rate established by the Tax Commissioner under O.R.C. § 5703.47. Upon recovery AGI is paid to Political Subdivision, not to Attorney General. AGI may be waived, either by Political Subdivision or the Attorney General. Political Subdivision also has discretion to request that AGI not be assessed as an additional obligation of debtors. If this request is indicated, the cost of AGI will not be added to the Debt. The AGI is in place of any separate accruing interest of the Political Subdivision on the Debt once certified to the Attorney General.

4.2 Pursuant to O.R.C. § 131.02, the Attorney General is authorized to deduct the

Attorney General's collection cost from all amounts collected, calculated upon all certified amounts recovered, plus interest and fees accruing from the date of certification to Attorney General. Attorney General collection costs may be waived, either by the Attorney General or jointly by the Political Subdivision and the Attorney General. The Parties agree that the Attorney General will pass all Attorney General collection costs on to the debtor as an additional obligation of debtor. The Attorney General collection cost is 10% pursuant to O.R.C. § 109.08.

4.3 The Attorney General may also hire third party vendors to collect claims for Political Subdivision and to pay such third party vendors for their services ("TPV Fees") from funds collected by them. The Attorney General will assign debt to TPVs in accordance with an established assignment strategy. TPV fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all TPV Fees on to debtors as an additional obligation of the debtors.

4.4 The Attorney General may appoint special counsel to collect claims for Political Subdivision and to pay such special counsel for their services ("Special Counsel Fees") from funds collected by them. The Attorney General will assign Debt to Special Counsel in accordance with an established assignment strategy. Special Counsel Fees shall be paid at rates set by the Attorney General. The Parties agree that the Attorney General will pass all Special Counsel Fees on to debtors as an additional obligation of the debtors.

4.5 Political Subdivision may execute a different Service Level Agreement for each category of debt certified pursuant to this Agreement, and each Service Level Agreement shall be attached as additional pages of Exhibit "C."

4.6 Political Subdivision may change or terminate the Service Level Agreement(s) attached hereto as Exhibit "C" upon appropriate written notice as specified therein, and any change or termination of the Service Level Agreement(s) shall not be construed as an amendment or termination of this Agreement.

V. DISBURSEMENT PROCESS/PAYMENT OF COLLECTION COSTS

5.1 On a weekly basis the Attorney General shall disburse to the Political Subdivision the full amounts collected on the Debt minus any applicable collection costs or fees as outlined herein. The Political Subdivision and Attorney General shall have the authority to settle or compromise any account in the Debt which is agreed upon by the Political Subdivision and Attorney General as payment in full based on the best interests of the Parties. At the time of the Attorney General's disbursement to the Political Subdivision, the Political Subdivision will receive the amount collected minus the Attorney General's collection costs and any applicable TPV Fees or Special Counsel Fees pursuant to this Agreement.

5.2 The Parties agree that court cases and judgment liens shall not be dismissed or deemed satisfied without the Political Subdivision's consent that all the fees have been paid by the debtor liable for costs under the court case and/or judgment lien.

5.3 Disbursements to the Political Subdivision of amounts due hereunder may be made via state check or by Automated Clearing House ("ACH") deposit, at the Attorney General's discretion. Political Subdivision acknowledges that the Attorney General prefers to remit all payments by ACH deposit, and Political Subdivision agrees to execute an ACH payment authorization in accordance with the form attached hereto as Exhibit "D" within thirty (30) days after the Effective Date of this Agreement.

VI. CERTIFICATION AND CANCELLATION OF DEBT

6.1. Political Subdivision will certify only Debt to the Attorney General which is past due and final, in accordance with O.R.C. § 131.02(A). O.R.C. § 131.02 provides that the Attorney General and Political Subdivision may determine an appropriate time beyond the regular 45-day requirement to certify delinquent debt. Such exceptions may be made as the Attorney General and the Political Subdivision mutually agree are appropriate.

6.2. The Parties acknowledge and agree that O.R.C. §131.02 empowers the Attorney General to, with the consent of the chief officer of an entity reporting a debt, cancel the debt or cause the same to be canceled. O.R.C. § 131.02(F)(2) provides a general statute of limitations of forty (40) years from the date of certification to collect claims. O.R.C. § 131.02(F)(1) allows the Attorney General to cancel uncollectible claims earlier, with the approval of the Political Subdivision. Political Subdivision may execute the Service Level Agreement attached hereto as Exhibit "C" to designate the preference of Political Subdivision. If no preference is indicated, the write off period will be ten (10) years after the date of certification. Exceptions revising the write off period for specified claims or categories of debt may be agreed to by the Attorney General and the Political Subdivision as amendments to the Service Level Agreement, and such amendments shall not be construed as an amendment or termination of this Agreement.

VII. CONFIDENTIALITY

7.1. Any confidential debtor information made available to Attorney General in the course of performance of this Agreement shall be used only for the purpose of carrying out the provisions of this Agreement pursuant to the Attorney General's statutory obligations. Additionally, the Attorney General shall not sell any debtor information to any third parties.

VIII. LIABILITY

8.1. Each Party shall be responsible for its own acts and omissions and those of its officers, employees and agents.

IX. CHOICE OF LAW

9.1. This Agreement is made and entered into in the State of Ohio and shall be governed and construed in accordance with the laws of Ohio. Any legal action or proceeding related to this Agreement shall be brought in Franklin County, Ohio, and the Parties irrevocably consent to jurisdiction and venue in Franklin County, Ohio.

X. COMPLIANCE WITH LAW

10.1. The Parties, in the execution of their respective duties and obligations under this Agreement, agree to comply with all applicable federal, Ohio and local laws, rules, regulations and ordinances.

XI. RELATIONSHIP OF THE PARTIES

11.1. It is fully understood and agreed that a Party's personnel shall not at any time, or for any purpose, be considered as agents, servants, or employees of the other Party.

11.2. Except as expressly provided herein, neither Party shall have the right to bind or obligate the other Party in any manner without the other Party's prior written consent.

XII. MODIFICATION

12.1. This Agreement constitutes the entire agreement between the Parties, and any changes or modifications to this Agreement shall be made and agreed to by the Parties in writing.

XIII. TERMINATION/EXPIRATION

13.1. Either party may terminate this Agreement for any reason by giving written notice, at least forty-five (45) days in advance of the date of termination, to the other Party via e-mail, facsimile transmission, mail, certified mail or personal delivery to the other Party's signatory to this Agreement.

13.2. If there is pending litigation in connection with any Debt, termination shall not be effective until the Attorney General terminates the legal representation in the litigation matter. The Attorney General shall be compensated for Debt collected and received prior to termination. The Parties agree to cooperate so as to effectuate a speedy and efficient transfer of the work to Political Subdivision.

XIV. SIGNATURES

14.1. The Parties may submit their signatures to the Agreement in counterparts, which taken together will constitute a valid enforceable Agreement. Facsimile or copied signatures shall be considered valid and enforceable.

IN WITNESS WHEREOF, the Parties hereto have caused this Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

City of North Ridgeville

Kevin Corcoran, Mayor

Date

OHIO ATTORNEY GENERAL
DAVE YOST

By:

Lucas Ward
Section Chief

Date

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

EXHIBIT "A"

The Parties agree that the following categories of debt may be certified to the Attorney General.
All debt must be final.

Examples of Categories of Debt to be certified:

- (a) Statutory fees as assessed by a Political Subdivision;
- (b) Civil court costs; and
- (c) Criminal court costs so long as the defendant is not incarcerated on the date the debt is certified.
- (d) Debt must be declared final with no chance of appeal or no future changes to the amount of the debt sent to the Attorney General for collection purposes.
- (e) Debt from a school system must be as a result of a contractual agreement.
- (f) Debt must be less than 10 years old.
- (g) Debt must be over \$100 per debtor.

Examples of Categories of Debt NOT to be certified:

- (a) Debt that has a small balance.
- (b) Debt that is against a juvenile.
- (c) Debt against a presently incarcerated individual.
- (d) Debt that is involved in a bankruptcy, rental or foreclosure action.
- (e) Debt from any type of utility.
- (f) Debt resulting from code enforcement violations.
- (g) Debt that results from a red light camera violation/citation.

**PLEASE NOTE: THE ATTORNEY GENERAL'S OFFICE RESERVES THE RIGHT TO
DECLINE ACCEPTANCE OF ACCOUNTS BASED ON QUANTITY, VALUE, OR DEBT TYPE.
ADDITIONALLY, THE AGO RESERVES THE RIGHT TO CHANGE WHAT DEBTS MAY BE
ACCEPTED AT ANY TIME.**

**PLEASE LIST THE TYPE OF DEBTS YOU WILL BE CERTIFYING TO THE
ATTORNEY GENERAL'S OFFICE:**

Criminal, parking and traffic court costs for defendants not incarcerated, that have final debts without any chance of appeal or future changes to the amount. Debts less than ten years old, over \$100 per debtor and statutory fees.

**DELINQUENT DEBT COLLECTION AGREEMENT
BETWEEN THE
OHIO ATTORNEY GENERAL
AND**

EXHIBIT "B"

The Delinquent Debt Collection Agreement Between the Ohio Attorney General and
City of North Ridgeville , executed by **the below officials through resolution**,

_____ , on _____, is hereby ratified and approved.

POLITICAL SUBDIVISION AUTHORITY (I.E. COUNTY COMMISSIONERS, COUNCIL)

_____ , _____,
Date

_____ , _____,
Date

_____ , _____,
Date

POLITICAL SUBDIVISION LEGAL AUTHORITY (I.E. PROSECUTOR, LAW DIRECTOR)

_____ , _____,
Date

EXHIBIT "C"
SERVICE LEVEL AGREEMENT

Page 160 of 166

IN WITNESS WHEREOF, the Parties hereto have caused this Service Level Agreement to be executed, as of the day and year last written below.

ACCEPTED AND APPROVED:

Kevin Corcoran, Mayor _____
Date

OHIO ATTORNEY GENERAL
DAVE YOST
By: _____
Lucas Ward _____
Section Chief Date



DAVE YOST

OHIO ATTORNEY GENERAL

Collection Enforcement
30 E. Broad Street, 14th Floor
Columbus, Ohio 43215
Jennifer.Zap@ohioattorneygeneral.gov

330-884-7519

Local Government Debt Collection Business Rules

- Account Certifications
 - Made by automated FTP (File Transfer Protocol) or Manual Excel template by the client.
 - The client will need to have internet access to certify accounts to the AGO (Attorney General's Office) and to access the ClientView and Compass software to monitor their payments and accounts.
 - The AGO reserves the right to decline accounts based on volume, monetary amount or debt type.
- Examples of Categories of Debt to be certified:
 - Statutory fees as assessed by a Political Subdivision
 - Civil and domestic court costs
 - Criminal court costs so long as the defendant is not incarcerated on the date the debt is certified
 - Municipal taxes, EMS debts, property damage, parking tickets
 - Debt must be declared final with no chance of appeal or no future changes to the amount of the debt sent to the Attorney General for collection purposes
 - Debt from a school system must be as a result of a contractual agreement
 - Debt must be less than 10 years old.
- Examples of Categories of Debt NOT to be certified:
 - Debt that is against a juvenile
 - Debt against a presently incarcerated individual
 - Debt that is involved in a bankruptcy, rental, or foreclosure action
 - Debt from any type of utility
 - Debt resulting from code enforcement violations
 - Debt resulting from a red light camera violation/citation

- Life of a Debt

- Debt will be worked by the AGO in-house local debt collectors up to 180 days or longer if a payment plan has been setup with the debtor and debtor remains in compliance. The AGO will confirm debtor contact information, send out a series of automated collection letters and make a series of collection calls to the debtor. Pursuant to O.R.C. §131.02, the AGO will assess a 10% fee to each account (AG collection fee) and the cost will be passed to the debtor. The 10% AGO fee will be taken from each payment made on an account by the debtor.
- Accounts may then be assigned to an external vendor (Third Party Vendor) for additional collection efforts lasting up to 365 days subsequent to the AGO collection efforts. The 365 days may be extended if debtor is on a payment plan and in compliance. In addition to the AGO collection fee, an additional fee would be added to the account for this service and the cost will be passed to the debtor.
- External private attorneys (Special Counsel) may then be assigned the debt for up to two years. In addition to the AGO collection fee, an additional fee would be added to the account for this service and the cost passed to the debtor. Tax accounts may be assigned to special counsel instead of Third Party Vendors. Those special counsel shall be 1075 compliant.
- On any accounts where the debtor's driver's license is being held by a court or there is an active warrant, the AGO will only accept sure funds (money order, certified check etc.) for payment of the debt. The AGO will then notify the client of the payment in full by the debtor.
- If social security numbers of the debtor are provided, the debt may also be subject to a possible state income tax refund capture, racino/casino offset, sports gambling offset and/or lottery offset for up to the full amount owed, including interest, subject to O.R.C. §§ 5747.12 and 3770.073. If the debtor owes money to the Ohio Department of Taxation or any state entity, any Ohio tax refund capture or Ohio lottery capture will be paid to those debts first.
- Local debt will not be combined with any state debt owed for collection purposes.
- The AGO collection process is driven by the AGO account number assigned to that debt. AGO collection letters and collection phone calls are made relative to that specific account number. If a debtor owes debt to multiple local jurisdictions, payment will be accepted according to the account number he/she is responding to as the result an AGO letter or an AGO phone call.
- Clients may request, and the Attorney General may consider, on a case by case basis, alternative collection strategies (i.e. timeframes) on how the client's debt portfolio is collected.
- The AGO will not file liens or judgments or release any previously filed liens or judgments on any debt certified for collections.

- Archive or Write off of Debts
 - Client may choose to write off debt by their indication on their Service Level Agreement which must be 10 years or less.
 - Accounts can also be closed and returned to client upon request.
- Payment Processing and Accounting Issues:
 - Collections payments to the client will be remitted weekly, via ACH.
 - Clients can view the payment reports that correlate with their weekly ACH payment on the AGO's Compass website.
 - Collections paid with certified funds (i.e. cashier's check, money order) will be paid to the client the following week. Collections paid with a personal check are held eight business days and paid the week following the release of the eight day hold.
- Direct Payments:
 - Please make sure that you are referring any debtor wanting to make a payment on an account for which we are collecting to us. The debtors can be instructed to call us at 888-871-8838 or pay by internet at www.OhioAttorneyGeneral.gov/business/pay. Their payment can also be mailed to: Ohio Attorney General P.O. Box 89471, Cleveland, Ohio 44101-6471. They will need to include their Attorney General Account number to ensure that the payment is being posted to their account.
 - If on the rare occasion you inadvertently accept a payment on an account we are collecting on, please send the payment the check or money order received from the debtor directly to the AGO with the account number on it to:

Ohio Attorney General
PO Box 89471
Cleveland, Ohio 44101
 - Referring any debtor to us to make a payment helps us keep our records clean and auditable. It will also prevent us from intercepting someone's state income tax refund erroneously, such as when a payment taken by your office has not been noted on our system. If your staff does take a payment from a debtor, kindly let us know immediately and forward the payment to us for processing. If we intercept their state tax refund and issue payment to you causing an overpayment on the account, we will contact you and request that you refund the amount back to the debtor.

- Reversals

- Occasionally, there may be payments made to you by our office that need to be reversed. This happens because, after the payment was issued to you, it came to our attention that the debtor's check had non-sufficient funds, there was a posting error or an alleged fraudulent payment. We do hold personal checks for eight days before posting them to an account to allow for this but, occasionally, we are not informed by the bank until after the eight days have passed and you have been sent the payment.
- When a payment made to you needs to be reversed, our system subtracts the amount of the payment to be reversed from the next payment to be made to you. Because our system is automated there is no way to let you know that one of the payments made to you needs to be reversed.
- However, you are able to identify the accounts that have a reversal by viewing your Client View payment report. For example, a payment for an internet personal check will be indicated with the code IPC. A payment for an internet personal check that was reversed will be indicated with the code EIPC. (See Report Section below)

- Reporting

- Compass software provides access to electronic reports, documents and scanned images relative to your accounts both in PDF or TXT format.
- Full debt inventory is available in Compass in reports generated monthly.
- All clients will have access to ClientView software to view their account data and notes placed by the collectors.

Please contact Jennifer Zap
Jennifer.Zap@ohioattorneygeneral.gov
Direct: 330-884-7519

**Ohio Attorney General
Collections Enforcement Section**

I (we) hereby authorize the Ohio Attorney General's Office to initiate entries to my (our) checking/savings accounts at the financial institution listed below, and, if necessary, initiate adjustments for any transactions credited/debited in error. This authority will remain in effect until Ohio Attorney General's Office is notified by me (us) in writing to cancel it in such time as to afford the Ohio Attorney General's Office and the Treasurer of State of Ohio a reasonable opportunity to act on it.

Client InformationClient Name Client Address City State Zip Code **Accounting Contact Information**Name Name email email Phone Number Phone Number **Financial Institution Information**Financial Institution Name Financial Institution Address City State Zip Code Financial Institution Account Type Financial Institution Routing Number Financial Institution Account Number

These numbers are located on the bottom of your check as follows:

1234456789

Routing Number

123456789101112

Account Number

Signature of Authorized Signer Date