

 ORIGINAL

## ORDINANCE NO. 2017 - 2331

**AN ORDINANCE WAIVING THE REQUIREMENT FOR THE POSTING OF BOND OR SURETY AND ACCEPTING A PERSONAL GUARANTEE IN LIEU OF SUCH POSTING FOR THE ACCEPTANCE OF THE PLAT OF THE GREY HAWK GOLF CLUB AT DURHAM RIDGE SUBDIVISION NUMBER 5 AND ACCEPTING DEDICATION OF 1.0239 ACRES FOR USE AS A PUBLIC STREET AND DECLARING AN EMERGENCY.**

**WHEREAS**, by Ordinance No. 2016 - 2329, Council approved the plat of the Greyhawk Golf Club at Durham Ridge Subdivision Number 5 and accepted dedication of 1.0239 Acres for use as a public street, "(Development)"; and,

**WHEREAS**, said approval was conditioned upon the Owner/Developer posting a bond or surety in an amount and in a form acceptable to the Village Engineer and the Village Solicitor and compliance with all other applicable codes rules and regulations of the Village of LaGrange; and,

**WHEREAS**, Owner/Developer have requested that Council accept a personal guarantee of performance in lieu of the required bond or surety; and

**WHEREAS**, that by Motion adopted at a regular meeting of Council on January 12, 2017, Council did by motion and does hereby agree to accept from Owner/Developer a personal guarantee in the form attached hereto as Exhibit "A" in lieu of bond or surety.

**NOW, THEREFORE**, be it ordained by the Council of the Village of LaGrange, County of Lorain, and State of Ohio:

**SECTION 1:** That Council does hereby waive the requirement that the Owner/Developer post a bond or surety to assure compliance with the Subdivision Rules and Regulations applicable to the Development and does, in lieu thereof, accept the Performance Guarantee attached hereto as Exhibit "A," and does hereby authorize and direct the Village Mayor to accept same in the name of the Village of LaGrange.

**SECTION 2:** That the approval of the plat and the acceptance of the dedication of street as set forth here are conditioned upon the Owner/Developer posting bond or surety in an amount and in a form acceptable to the Village Engineer and the Village Solicitor and compliance with all other applicable codes rules and regulations of the Village of LaGrange.

**SECTION 3:** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements,



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including Section 121.22 Ohio Revised Code.

**SECTION 4:** This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of LaGrange, Ohio, to wit, the immediate necessity to generate real estate and other taxes by facilitating the sale and occupancy of residential homes within said subdivision without unnecessary delay. Therefore, this ordinance shall be in full force and effect immediately upon its passage.

PASSED: 1st Reading: 1/26/17

2nd Reading: \_\_\_\_\_

3rd Reading: \_\_\_\_\_

ATTEST: Kimberly Fallon

Kimberly Fallon, Fiscal Officer

SIGNED:

Kim E. Strauss Pres. Pro Temp

Kim E. Strauss, Mayor

APPROVED AS TO FORM:

Jon D. Clark

Jon D. Clark, Solicitor

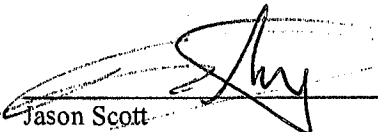
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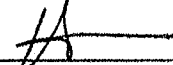
**PERFORMANCE GUARANTEE**

For value received, in consideration of and to induce the Village of LaGrange ("Village") to approve the Subdivision Plat for the Grey Hawk Golf Course at Durham Ridge Subdivision No. 5 without the positing of a bond or surety, the undersigned, 951 Realty Ltd., an Ohio Limited Liability Company with its principal place of business at 951 Jaycox Rd., Avon, OH 44011, Grey Hawk Land Holdings, LLC, an Ohio Limited Liability Company with its principal place of business at 5255 East Mistic Bay Blvd., Marblehead, Ohio 43440 and Jason Scott, an individual residing at 35198 Livingston Drive, Avon, Ohio 44001, Ohio, (Collectively "Guarantor") hereby, jointly and severally unconditionally guarantees unto the Village the full and prompt performance of all obligations for the construction and installation of all improvements as shown on said plat and/or otherwise required under the Village Subdivision Regulations and/or as recommended by the Village Engineer. Said performance shall be completed not later than May 30, 2017.

Guarantor further warrants and represents to the Village that the execution and delivery of this Performance Guarantee is not in contravention of Guarantor's Articles of Organization, Charter, by-laws, and applicable law; that the execution and delivery of this Performance Guarantee and the performance thereof, has been duly authorized by the Guarantor's Board of Directors, Trustees, or any other management board which is required to participate in such decisions; and that the execution, delivery, and performance of this Performance Guarantee will not result in a breach of, or constitute a default under, any loan agreement, indenture, or contract to which Guarantor is a party or by or under which it is bound. No express or implied provision, warranty, representation or term of this Performance Guarantee is intended, or is to be construed, to confer upon any third person(s) any rights or remedies whatsoever, except as expressly provided in this Performance Guarantee.

In witness thereof, Guarantor has caused this Performance Guarantee to be executed on the dates set forth below.

  
\_\_\_\_\_  
Jason Scott

951 Realty Ltd.  
by: \_\_\_\_\_

Its: Member

Grey Hawk Land Holdings, LLC

By: Jason Scott

Its: partner

Accepted:

Village of LaGrange

By: \_\_\_\_\_

Its: MAYOR

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ORDINANCE 2017-2332

AN ORDINANCE ESTABLISHING THE POSITIONS AND THE PAY RANGE FOR THE POSITIONS OF EMPLOYMENT FOR THE VILLAGE OF LAGRANGE, REPEALING ORDINANCE 2015-2310 AND DECLARING AN EMERGENCY.

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LAGRANGE, LORAIN COUNTY, OHIO, THAT:

SECTION 1: The position of Superintendent of Water/Wastewater shall be required to have a valid Ohio Water Distribution License 1 and a valid Ohio Wastewater II Operator's License or those licenses required by the Ohio EPA. The Superintendent of Water/Wastewater shall be paid an annual salary between the ranges of \$32,000.00 to \$47,250.00 for a work week of forty (40) hours.

SECTION 2: The Assistant Superintendent of Water/Wastewater shall be required to have a valid Ohio Water Distribution License 1 and a valid Ohio Wastewater II Operator's License or those licenses required by the Ohio EPA. The Assistant Superintendent of Water/Wastewater shall be paid an annual salary between the ranges of \$30,000.00 to \$42,000.00 for a work week of forty (40) hours.

SECTION 3: The position of Operator of Water or Wastewater shall be required to have a valid Ohio Water Distribution License 1 or a valid Ohio Wastewater 1 Operator's License. Said person shall be pursuing the additional Licenses required to move into the position of Assistant Superintendent of Water/Wastewater. The Operator of Water/Wastewater shall be paid an annual salary between the ranges of \$25,000.00 to \$36,750.00 for a work week of forty (40) hours.

SECTION 4: The position of Operator in Training of Water/Wastewater shall be actively pursuing a valid Ohio Water Distribution License 1 or a valid Ohio Wastewater 1 Operator's License. The position of Operator in Training of Water/Wastewater shall be paid an annual salary between the ranges of \$13,500.00 to \$28,875.00 for a work week of forty (40) hours.

SECTION 5: The position of Part Time Water and Wastewater Maintenance to perform general maintenance work in the Village of LaGrange. A total of 30 hours per week during the calendar years is authorized. The hourly rate for the Water/Wastewater maintenance Person shall be between the ranges of minimum wage to a maximum of \$12.08 per hour.

SECTION 6: The unpaid position of Water/Wastewater Trainee/Intern shall receive training in the water and/or wastewater field to gain experience. This position shall not be a paid position.

SECTION 7: There are hereby established three (3) full-time positions of Level 1 Skilled Maintenance Person whose duties shall be to perform general maintenance work in the Village of LaGrange under the supervision of the Village Administrator. The hourly rate for the full-time Level 1 Skilled Maintenance Person shall be between the higher of the State or Federal Minimum Wage and \$19.50 per hour.

SECTION 8: There are hereby established three (3) full-time positions of Level 2 Skilled Maintenance Person whose duties shall be to perform general maintenance work and the operation of Village equipment under the supervision of the Village Administrator. Mandatory qualification's for the Level 2 Skilled Maintenance Person position shall be a minimum of five (5) years of prior full or part time maintenance service in the Village of LaGrange with a demonstrated ability to operate, maintain and repair Village equipment and vehicles. The hourly rate for the full-

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time Level 1 Skilled Maintenance Persons shall be between the higher of the State or Federal Minimum Wage and \$22.00 an hour

SECTION 9: The duties of part time Maintenance Persons II shall be to perform general maintenance work in the Village of LaGrange. Three (3) Maintenance Persons II positions will not work in excess of a total of 90 hours per week combined. These positions may be seasonal, April through November, or year round. The hourly rate for the Maintenance Persons II shall be between the ranges of minimum wage to a maximum of \$12.60 per hour.

SECTION 10: The duties of a part-time Zoning Clerk shall be to perform clerical duties related to the administration of the Village Zoning Ordinance. This employee shall not work in excess of thirty-two (32) hours per week. The hourly rate for the part-time Zoning Clerk shall be between the ranges of minimum wage to a maximum of \$13.50 per hour.

SECTION 11: The duties of the full-time Clerk-Typist/Administrative Assistant shall be to perform clerical and secretarial duties for the Village of LaGrange. The hourly rate for the full-time Clerk-Typist shall be between the ranges of minimum wage to a maximum of \$18.00 per hour.

SECTION 12: The duties of the part-time Clerk-Typist to perform clerical and secretarial duties for the Village of LaGrange. This employee shall not work in excess of thirty-five (35) hours per week without the written approval of the Village Administrator. The hourly rate for the part-time Clerk-Typist shall be between the ranges of minimum wage to \$12.60 per hour.

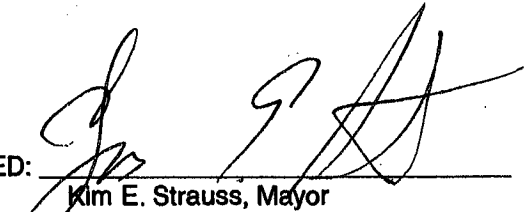
SECTION 13: The Village Administrator shall have the authority to promote or demote any employee to or from any position set forth in this Ordinance. Such determination shall be based upon the employee's demonstrated abilities, working knowledge of the position requirements, work record including attendance, attitude, recommendation by the employee's immediate supervisor and any other criteria determined by the Administrator to be relevant. The establishment of each employee's wage within the applicable range shall be made by Village Council upon the recommendation of the Village Administrator.

SECTION 14: It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.


SECTION 15: This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the Village of LaGrange for the reason that employee salaries must be provided for without delay.

1<sup>st</sup> Reading \_\_\_\_\_  
2<sup>nd</sup> Reading \_\_\_\_\_  
3<sup>rd</sup> Reading \_\_\_\_\_

PASSED: 2/23/17

SIGNED:   
Kim E. Strauss, Mayor

ATTEST:   
Kimberly Fallon, Fiscal Officer

APPROVED AS TO FORM:  
  
Jon D. Clark, Solicitor

**ORDINANCE NO. 2017 - 2333**

**AN ORDINANCE ACCEPTING THE BID OF 7L CONSTRUCTION LLC OF BELLEVUE OHIO IN THE AMOUNT OF \$73,299.40 FOR THE ASPHALT RESURFACING OF COMMERCE DRIVE AND DECLARING AN EMERGENCY**

**BE IT ORDAINED** by the Council of the Village of LaGrange, County of Lorain, and State of Ohio:

**SECTION 1.** That the bid of 7L Construction, LLC for the resurfacing of Commerce Drive, being the lowest and best bid received, is hereby accepted said bid being in the amount of \$73,299.40.

**SECTION 2.** That the Village Administrator is hereby authorized and directed to enter into a contract with 7L Construction, LLC in accordance with said bid.

**SECTION 3.** That any irregularities in the form of the bid are whereby waived

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

**SECTION 5.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the Village of LaGrange, Ohio to wit: to accept the bid within the time required by law and to permit the timely commencement of the Commerce Drive Improvement Project and shall take effect immediately upon passage.

PASSED: 1st Reading: 3/9/17  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_

ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

SIGNED: [Signature]  
Kim E. Strauss, Mayor

APPROVED AS TO FORM: [Signature]  
Jon D. Clark, Solicitor

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**ORDINANCE NO. 2017 - 2334**

**AN ORDINANCE APPROVING THE PLAT OF KEYWOOD GATE AND ACCEPTING DEDICATION OF 0.4408 ACRES FOR USE AS A PUBLIC STREET TOGETHER WITH CERTAIN EASEMENTS FOR ACCESS AND DECLARING AN EMERGENCY.**

**WHEREAS**, Keyword Living, LLC, as owner, has submitted a plat for the lot split and combination identified as “Keyword Gate” a copy of which is attached as “Exhibit A” the same having been filed with the Village Fiscal Officer; and,

**WHEREAS**, Keyword Living, LLC has offered for dedication to the public use as a street a portion of Keyword Gate as shown on the Plat as “Keyword Boulevard” the same being 0.4408 acres more or less together with certain access easements to the Village of LaGrange; and,

**WHEREAS**, the LaGrange Village Planning Commission has recommended to Council that the Plat and street dedication be approved and accepted subject to certain conditions; and,

**WHEREAS**, the Engineer for the Village of LaGrange has given his opinion that the street as shown on said Plat should be accepted for dedication and the easements for access as shown on said Plat be accepted; and,

**WHEREAS** the Keyword Living, LLC has requested that the street shown on said Plat be dedicated to the public use and benefit; and,

**WHEREAS**, Keyword Gate has posted a bond or surety in an amount and in a form acceptable to the Village Engineer and the Village Solicitor, has satisfied all conditions recommended by the Planning Commission and is in compliance with all other applicable codes, rules, and regulations of the Village of LaGrange.

**NOW, THEREFORE**, be it ordained by the Council of the Village of LaGrange, County of Lorain, and State of Ohio:

**SECTION 1:** The Plat for Keyword Gate and dedication of 0.4408 acres, more or less, for public use as a street as shown on said Plat as “Keyword Boulevard” is hereby accepted, and the same may be filed in the Plat Records of the Lorain County Recorder.

**SECTION 3:** That it is found and determined that all formal actions of this Council

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concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 Ohio Revised Code.

**SECTION 4:** This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of LaGrange, Ohio, to wit, the immediate necessity to generate real estate and other taxes by facilitating the construction and occupancy of residential units within said subdivision without unnecessary delay. Therefore, this ordinance shall be in full force and effect immediately upon its passage.

PASSED: 1st Reading: 3/23/17  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_

ATTEST: *Kumbaly Zelen*  
Fiscal Officer

SIGNED: *[Signature]*  
Mayor

APPROVED AS TO FORM: *[Signature]*  
Jon D. Clark, Solicitor



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ORDINANCE NO. 2017-2335

AN ORDINANCE AUTHORIZING APPROVAL OF THE MINUTES FROM THE HOUSING COUNCIL MEETING BASED UPON THE RECOMMENDATIONS OF THE HOUSING COUNCIL MEMBERS AND DECLARING THIS ACT AN EMERGENCY.

WHEREAS, the Village held a Housing Council Meeting March 6, 2017 and the Housing Officer and the Village's consultant presented all CRA Agreements within the Village of LaGrange Areas (#093-02085-01 and #093-41230-01) through the annual State Report;

Whereas, the following recommendations were made in order to assure that all companies remain in compliance and receive the full abatement as outlined in the Community Reinvestment Area Agreement;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of LaGrange, Lorain County, State of Ohio, a two-thirds majority of all members thereto concurring that:

SECTION I: The Community Reinvestment Area Agreement for Jade Realty LLC/ Keystone Pointe Health and Rehabilitation #05-001 (2005) be continued.

SECTION II: The Community Reinvestment Area Agreement for Mercy Health Partners/ Mercy Medical Partners #05-002 (2005) be continued.

SECTION III: The Community Reinvestment Area Agreement for JZJ Properties LLC/ SpaceBound (MSB) #005-003 (2005) be continued.

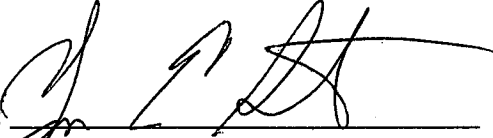
SECTION IV: This Ordinance will be forwarded to the County Auditor, the Ohio Development Services Agency, and the affected school districts within fifteen days of approval in order to be finalized.

It is hereby found and determined that all formal actions of this Council concerning and relating to the passage of the Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, in compliance with all legal requirements, including Section 212.22 of the Ohio Revised Code.

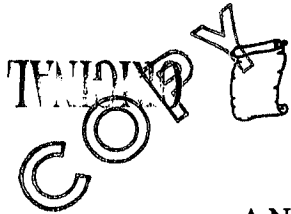
This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, welfare, and safety of the Village; the emergency being the necessity to continue or modify the agreements to provide timely project reports. This Ordinance shall take effect and be in full force immediately upon its passage and approval.

PASSED: April 13, 2017

ATTEST:   
Kimberly Fallon, Fiscal Officer

SIGNED:   
Kim E. Strauss, Mayor

APPROVED AS TO FORM:  
  
Jon D. Clark, Solicitor



ORDINANCE NO. 2017-2336

AN ORDINANCE APPROVING THE RECODIFICATION, EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PART OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF LAGRANGE, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, various ordinances of a general and permanent nature have been passed which should be included in the Codified Ordinances of LaGrange, Ohio; and

WHEREAS, numerous sections of the Traffic, General Offenses and Fire Prevention Codes need to be updated in order to conform to enactments of the Ohio General Assembly;

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of LaGrange, State of Ohio:

SECTION 1. That the recodification, editing, arrangement and numbering or renumbering of the following ordinances and parts of ordinances are hereby approved as part of the various component codes of the Codified Ordinances of LaGrange, Ohio, so as to conform to the classification and numbering system of the Codified Ordinance, to-wit:

<u>Ord. No.</u>	<u>Date</u>	<u>C.O. Section</u>
2016-2313	2-25-16	929.02
2016-2318	4-28-16	151.04, 151.05
2016-2319	4-28-16	2016 Replacement Pages
2016-2325	9-8-16	721.01, 721.02, 721.99
2016-2326	10-27-16	151.15

SECTION 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 301.04 Bicycle; Motorized Bicycle; Moped. (Amended)
- 301.19 Motorcycle. (Amended)
- 313.09 Driver's Duties Upon Approaching Ambiguous Traffic Signal. (Amended)
- 331.03 Overtaking, Passing to Left; Driver's Duties. (Amended)
- 331.21 Right of Way of Public Safety or Coroner's Vehicle. (Amended)
- 331.211 Report of Vehicle Failing to Yield Right of Way to Public Safety Vehicle. (Added)
- 335.021 Ohio Driver's License Required for In State Residents. (Added)
- 335.09 Display of License Plates. (Amended)
- 335.10 Expired or Unlawful License Plates. (Amended)
- 335.111 Registration Within Thirty Days of Residency. (Added)
- 335.12 Stopping After Accident Upon Streets. (Amended)
- 335.13 Stopping After Accident Upon Property Other Than Street. (Amended)
- 373.02 Riding Upon Seats; Handlebars; Helmets and Glasses. (Amended)

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General Offenses Code

- 501.06 Limitation of Criminal Prosecution. (Amended)
- 505.071 Cruelty to Companion Animals. (Amended)
- 513.02 Gift of Marihuana. (Amended)
- 513.03 Drug Abuse; Controlled Substance Possession or Use. (Amended)
- 513.04 Possessing Drug Abuse Instruments. (Amended)
- 513.05 Permitting Drug Abuse. (Amended)
- 513.07 Possessing or Using Harmful Ingredients. (Amended)
- 513.08 Illegally Dispensing Drug Samples. (Amended)
- 513.11 Possessing Nitrous Oxide in Motor Vehicle. (Amended)
- 513.12 Drug Paraphernalia. (Amended)
- 513.121 Marihuana Drug Paraphernalia. (Amended)
- 513.13 Counterfeit Controlled Substances. (Amended)
- 525.15 Assaulting Police Dog or Horse or an Assistance Dog. (Amended)
- 529.01 Liquor Control Definitions. (Amended)
- 529.07 Open Container Prohibited. (Amended)
- 537.051 Menacing by Stalking. (Amended)
- 537.10 Telecommunications Harassment. (Amended)
- 537.17 Criminal Child Enticement. (Amended)
- 541.04 Criminal Mischief. (Amended)
- 541.09 Vehicular Vandalism. (Amended)

Fire Prevention Code

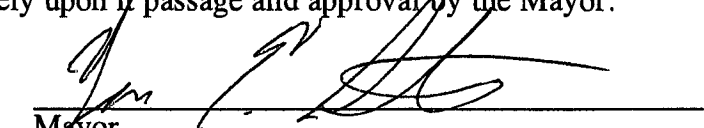
- 1519.04 Fireworks Possession, Sale or Discharge Prohibited. (Amended)

SECTION 3. The complete text of the Traffic, General Offenses and Fire Prevention Code section listed above are set forth in full in the 2017 replacement pages to the Codified Ordinances which are hereby attached to this ordinance as Exhibit A. Any summary publication of this ordinance shall include a complete listing of these sections. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

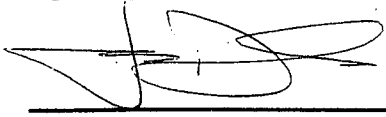
SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Ohio R.C. 121.22

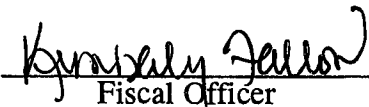
SECTION 5. That this ordinance is hereby declared to be an emergency measure, necessary for the preservation of the public peace, health, safety, convenience and welfare of the Village and the inhabitants thereof, and for the additional reason that it is necessary to approve these revisions in the Codified Ordinances as the earliest possible date. Therefore, this ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

Passed: 4/13/17  
4/13/17

  
\_\_\_\_\_  
Mayor

**APPROVED AS TO FORM:**

  
\_\_\_\_\_  
JON D. CLARK, Solicitor

  
\_\_\_\_\_  
Kimberly Fallon  
Fiscal Officer

**ORDINANCE NO. 2017 - 2337**

**AN ORDINANCE DESIGNATING LIBERTY STREET AS A  
TWO WAY STREET.**

**WHEREAS** Liberty Street is presently designated as a one-way street.

**WHEREAS**, Council for the Village of LaGrange has determined that a two-way traffic flow along Liberty Street would be of benefit and convenience to the residents of the Village of LaGrange and thereby to provide for the general welfare of the public.

**WHEREAS**, Ohio Revised Code, § 723.01, vests in the Village the authority to regulate the use of streets located within the Village.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LAGRANGE, STATE OF OHIO:**

**SECTION 1:** That Liberty Street shall be and is hereby designated to be a two-way street.

**SECTION 2:** That the Village Administrator is authorized to establish signage along Liberty Street and to do all such other acts as are consistent with the implementation of this Ordinance.

**SECTION 3:** That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance 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 meeting open to the public and in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

PASSED: 1st reading 5/25/17  
2nd reading 6/3/17  
3rd reading 6/20/17

ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

Kim E. Strauss  
Kim E. Strauss, Mayor

APPROVED AS TO FORM:  
Jon D. Clark  
Jon D. Clark, Solicitor

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**ORDINANCE 2017 - 2338**

**AN ORDINANCE AUTHORIZING FINANCIAL ASSISTANCE FOR THE LAGRANGE LIONS CLUB'S FESTIVAL PUBLIC FIREWORKS DISPLAY AND DECLARING AN EMERGENCY.**

**WHEREAS**, the LaGrange Lions Club is an Ohio Corporation not for profit which coordinates the annual Lion's Day Festival public fireworks display for the benefit of the residents of the Lagrange Township, including the residents of the Village of LaGrange; and,

**WHEREAS**, Council for the Village LaGrange has determined and hereby finds that the expenditure of funds for the materials and operating costs of the annual Lion's Club Festival public fireworks display is for the benefit of the residents of the Village and constitutes a proper municipal public purpose.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LAGRANGE, STATE OF OHIO:**

**SECTION 1:** That the Village Fiscal Officer is hereby authorized and directed to pay the amount of \$ 1,300 to the Lagrange Lion's Club to be used solely for assistance with the costs of materials and operating costs of the 2017 Lions Club Festival public fireworks display; and,

**SECTION 2:** That as a condition of the receipt of the funds authorized herein, the Lagrange Lion's Club will provide the Village with such records as it may request to assure that the provided funds have been used for the purposes authorized herein.

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

**SECTION 4:** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and contentment of the citizens of the Village of LaGrange, Ohio to wit: to facilitate the 2017 Lions Club Festival public fireworks display without delay and shall take effect immediately upon passage.

PASSED: 1st Reading: 11/22/17  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_

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ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

SIGNED: [Signature]  
Kim E. Strauss, Mayor

APPROVED AS TO FORM: [Signature]  
Jon D. Clark, Solicitor

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## ORDINANCE 2017-2339

### AN ORDINANCE AMENDING SECTION 929.02 OF THE CODIFIED ORDINANCES OF THE VILLAGE OF LAGRANGE AND DECLARING AN EMERGENCY.

WHEREAS, by Ordinance 2003-2020 Council of the Village of LaGrange enacted section 929.02 of the LaGrange Codified Ordinances establishing sewer user charges for residential, commercial and institutional customers in the Village of LaGrange which Section was amended by Ordinance 2014-2283 and Ordinance 2016-2313; and

WHEREAS, Council of the Village of LaGrange deems it in the best interest of the Village to amend Section 929.02, as amended, of the LaGrange Codified Ordinances.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of LaGrange, County of Lorain, and State of Ohio:

**SECTION 1:** That section 929.02(B) of the Codified Ordinances of the Village of LaGrange, is hereby amended to read as follows:

B. The sewer user charges for residential, commercial and industrial customers in the Village of LaGrange shall be \$33.66 per month plus \$2.24 per each 1,000 gallons of water metered. The charge shall be calculated on the volume of wastewater discharged directly or indirectly into the sewage system and shall be measured by the water used by each sewer user as shown by the water meter readings.

**SECTION 2:** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the health, safety and welfare of the citizen of the Village of LaGrange, Ohio; that being the immediate necessity to provide funding for the operation of the wastewater treatment system, wherefore, this ordinance shall be in full force and effective from and immediately after its passage and approval.

**Section 3:** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were done in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements including Section 121.22 Ohio Revised Code and that this ordinance shall be in full force and effect at the earliest time period permitted by law.

1<sup>st</sup> Reading: 6/8/17  
2<sup>nd</sup> Reading: 6/22/17  
3<sup>rd</sup> Reading: 7/13/17  
Signed: \_\_\_\_\_

ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

Passed: 7/13/17  
[Signature]  
Kim E. Strauss, Mayor  
APPROVED AS TO FORM:  
[Signature]  
Jon D. Clark, Solicitor



**ORIGINAL**

**ORDINANCE NO. 2017 - 2340**

**AN ORDINANCE AMENDING SECTION 921.05(c) OF THE  
CODIFIED ORDINANCES OF THE VILLAGE OF  
LAGRANGE.**

**WHEREAS**, by Ordinance No. 2014-2287 Council of the Village of LaGrange enacted Section 929.16 of the LaGrange Codified Ordinances establishing a Storm Water Utility and establishing charges to fund and for the administration of such utility; and,

**WHEREAS**, Council of the Village of LaGrange desire to amend the minimum charge for water service to offset in part the charges established under Ordinance No. 2017- 2340.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the Village of LaGrange, County of Lorain, and State of Ohio:

**SECTION 1:** That section 921.05(c) of the Codified Ordinances of the Village of LaGrange, is hereby amended to read as follows:

(c) The minimum amount to be charged for the use of water shall be Twenty Two Dollars and One Cents (\$22.01) per month

**SECTION 2:** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the health, safety and welfare of the citizen of the Village of LaGrange, Ohio; that being the immediate necessity to provide funding for the operation of the wastewater treatment system, wherefore, this ordinance shall be in full force and effective from and immediately after its passage and approval.

**SECTION 3:** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were done in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 Ohio Revised Code and that this ordinance shall be in full force and effect at the earliest time period permitted by law.

1<sup>st</sup> Reading 6/30/17

2<sup>nd</sup> Reading 6/22/17

3<sup>rd</sup> Reading 7/13/17

ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

PASSED: 7/13/17  
[Signature]  
Kim E. Strauss, Mayor

APPROVED AS TO FORM:  
[Signature]  
Jon D. Clark, Solicitor



**ORIGINAL**

**ORDINANCE NO.2017- 2341**

**AN ORDINANCE AUTHORIZING THE VILLAGE ADMINISTRATOR TO ENTER INTO A STANDARD FORM AGREEMENT WITH POGGEMEYER DESIGN GROUP TO PROVIDE PROFESSIONAL SERVICES FOR WORK RELATING TO THE WASTEWATER TREATMENT PLANT EXPANSION AND DECLARING AN EMERGENCY.**

**WHEREAS**, in 2016 the Village Administrator solicited a Request for Qualifications, ("RFQ") relative to the retention of a firm to provide engineering and other professional services to the Village of LaGrange; and

**WHEREAS**, after ranking the responses to the RFQ, the Village negotiated an agreement with Poggemeyer Design Group to provide such services for a term ending in April of, 2018.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LAGRANGE, COUNTY OF LORAIN, STATE OF OHIO THAT:**

**SECTION 1:** The Village Administrator is authorized and directed to enter into a Standard Form Agreement with Poggemeyer Design Group for professional and engineering services relating to the Wastewater Treatment Plant Expansion in the form attached hereto as Exhibit A in an amount not to exceed \$68,900.00.

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

**SECTION 3:** This Ordinance is and is hereby declared to be an emergency measure, the emergency being the necessity to facilitate the timely completion of the wastewater treatment plant expansion without delay and thereby provide for the health, safety, welfare, and peace of the inhabitants of the Village of LaGrange, wherefore this Ordinance shall go into effect immediately upon its passage.

1<sup>st</sup> Reading: \_\_\_\_\_  
2<sup>nd</sup> reading: \_\_\_\_\_  
3<sup>rd</sup> reading: \_\_\_\_\_  
PASSED: 6/22/17

ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

SIGNED: [Signature]  
Kim E. Strauss, Mayor

APPROVED AS TO FORM: [Signature]  
Jon D. Clark, Solicitor

**COPY ORIGINAL**

**ORDINANCE NO. 2017 - 2342**

**AN ORDINANCE APPROVING THE PLAT OF THE GREY HAWK GOLF CLUB AT DURHAM RIDGE SUBDIVISION NUMBER 6 AND DECLARING AN EMERGENCY.**

**WHEREAS**, Greyhawk Land Holdings, LLC, (“Owner”) has submitted a subdivision plat for the subdivision known as “Grey Hawk Golf Club at Durham Ridge Subdivision Number 6,” a copy of which is attached as “Exhibit A”; and,

**WHEREAS** the Owner has requested that the plat be approved; and,

**WHEREAS**, the Planning Commission has recommended to Council that the plat be approved; and,

**NOW, THEREFORE**, be it ordained by the Council of the Village of LaGrange, County of Lorain, and State of Ohio:

**SECTION 1:** That subject to Section 2 below, the plat for the subdivision known as “Grey Hawk Golf Club at Durham Ridge Subdivision Number 6” is hereby approved and the same may be filed in the Plat Records of the Lorain County Recorder.

**SECTION 2:** That the approval of the plat is conditioned upon the Owner posting a performance guarantee in an amount and in a form acceptable to the Village Engineer and the Village Solicitor and compliance with all other applicable codes rules and regulations of the Village of LaGrange.

**SECTION 3:** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 Ohio Revised Code.

**SECTION 4:** This ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of LaGrange, Ohio, to wit, the immediate necessity to generate real estate and other taxes by facilitating the sale of lots for residential development within said subdivision without unnecessary delay. Therefore, this ordinance shall be in full force and effect immediately upon its passage.

PASSED: 1st Reading: 7/27/17

2nd Reading: \_\_\_\_\_

ORIGINAL  
COPY

**ORDINANCE NO. 2017 - 2343**

**AN ORDINANCE AMENDING SECTION 921.05(d) OF THE  
CODIFIED ORDINANCES OF THE VILLAGE OF  
LAGRANGE AND DECLARING AN EMERGENCY.**

**THEREFORE, BE IT ORDAINED** by the Council of the Village of LaGrange, County of Lorain, and State of Ohio:

**SECTION 1:** That section 921.05(d) of the Codified Ordinances of the Village of LaGrange, is hereby amended to read as follows:

(D) Over 2,000 gallons \$5.02 per 1,000 gallons

**SECTION 2:** This Ordinance is hereby declared to be an emergency measure, the emergency being the immediate necessity to provide for the health, safety and welfare of the citizen of the Village of LaGrange, Ohio; that being the immediate necessity to provide funding for the operation of the wastewater treatment system, wherefore, this ordinance shall be in full force and effective from and immediately after its passage and approval.

**SECTION 3:** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were done in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 Ohio Revised Code and that this ordinance shall be in full force and effect at the earliest time period permitted by law.

1<sup>st</sup> Reading 7/27/17

2<sup>nd</sup> Reading \_\_\_\_\_

3<sup>rd</sup> Reading \_\_\_\_\_

ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

PASSED: 7/27/17  
[Signature]  
Kim E. Strauss, Mayor

APPROVED AS TO FORM:  
[Signature]  
Jon D. Clark, Solicitor



**ORIGINAL**

**ORDINANCE NO. 2017- 2344**

**AN ORDINANCE AUTHORIZING THE VILLAGE MAYOR TO ENTER INTO A LETTER CONTRACT WITH POGGEMEYER DESIGN GROUP TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO ASSIST THE VILLAGE WITH THE DESIGN CONTROL FOR BOILERS FOR THE FORMER KEYSTONE SCHOOL BUILDING AND DECLARING AN EMERGENCY.**

**BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LAGRANGE, COUNTY OF LORAIN, STATE OF OHIO THAT:**

**SECTION 1:** The Village Mayor is authorized and directed to enter into a letter agreement with Poggemeyer Design Group, in the form attached hereto as Exhibit "A" to provide certain professional services relating to the control designs for boilers to be installed in the former Keystone School building.

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

**SECTION 3:** This Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to facilitate the renovations to the Former Keystone School to provide Offices for the Village Administration without delay and thereby provide for the health, safety, welfare, and peace of the inhabitants of the Village of LaGrange, wherefore this Ordinance shall go into effect immediately upon its passage. .

1<sup>st</sup> Reading: 8/10/17  
2<sup>nd</sup> reading: \_\_\_\_\_  
3<sup>rd</sup> reading: \_\_\_\_\_

PASSED: 8/10/17

ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

SIGNED: [Signature]  
Kim E. Strauss, Mayor

APPROVED AS TO FORM: [Signature]  
Jon D. Clark, Solicitor

ORIGINAL

ORDINANCE NO. 2017- 2345

AN ORDINANCE AUTHORIZING THE VILLAGE MAYOR TO ENTER INTO A LETTER CONTRACT WITH POGGEMEYER DESIGN GROUP TO PROVIDE PROFESSIONAL ENGINEERING SERVICES TO ASSIST THE VILLAGE WITH THE HVAC CONTROL DESIGN FOR THE FORMER KEYSTONE SCHOOL BUILDING AND DECLARING AN EMERGENCY.

BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LAGRANGE, COUNTY OF LORAIN, STATE OF OHIO THAT:

SECTION 1: The Village Mayor is authorized and directed to enter into a letter agreement with Poggemeyer Design Group, in the form attached hereto as Exhibit "A" to provide certain professional services relating to the HVAC control designed for the former Keystone School building.

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

SECTION 3: This Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to facilitate the renovations to the Former Keystone School to provide Offices for the Village Administration without delay and thereby provide for the health, safety, welfare, and peace of the inhabitants of the Village of LaGrange, wherefore this Ordinance shall go into effect immediately upon its passage.

1st Reading: 8/10/17
2nd reading:
3rd reading:

PASSED: 8/10/17

ATTEST: Kimberly Fallon
Kimberly Fallon, Fiscal Officer

SIGNED: Kim E. Strauss, Mayor

APPROVED AS TO FORM: Jon D. Clark, Solicitor

**COPY ORIGINAL**

**ORDINANCE NO. 2017- 2346**

**AN ORDINANCE AUTHORIZING THE VILLAGE MAYOR TO EXECUTE A QUITCLAIM DEED TO EVIDENCE THE UNDIVIDED PERCENTAGE OWNERSHIP OF THE VILLAGE OF LAGRANGE AND THE LAGRANGE TOWNSHIP IN THE REAL PROPERTY UTILIZED AS THE LAGRANGE COMMUNITY PARK AND DECLARING AN EMERGENCY.**

**WHEREAS**, the Village of LaGrange and the Lagrange Township are the joint owners of 87.85 acres more or less, of land located within the Village of LaGrange which is utilized as a community park, ("Park Property").

**WHEREAS**, the joint ownership of the Park Property arises from a number of conveyances that have occurred since the original acquisition of the Park Property in 1999; and,

**WHEREAS**, it is and has been the intent and understanding of the Village and the Township that each shall be an owner of an undivided one-half interest in said Park Property; and,

**WHEREAS**, the Village and the Township desire to memorialize their understanding as to the joint ownership of the Park Property and to correct any defects in the chain of title that may have occurred since the original acquisitions of said Park Property.

**THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE OF LAGRANGE, COUNTY OF LORAIN, STATE OF OHIO THAT:**

**SECTION 1:** The Village Mayor is authorized to execute a quit claim deed from the Village of LaGrange and the Board of Trustees of LaGrange Township as Grantors to convey an undivided one-half in interest in the Park Property, described in said deed, to the Village of LaGrange and the Board of Trustees of Lagrange Township as Grantees in a form approved by the Village Solicitor and subject to the concurrence of the Board of Trustees of LaGrange Township and their commitment to execute said deed.

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

**SECTION 3:** This Ordinance is hereby declared to be an emergency measure, the emergency being the necessity to establish the percentage ownership of the Park Property without delay and thereby provide for the health, safety, welfare, and peace of the inhabitants of the Village of LaGrange, wherefore this Ordinance shall go into effect immediately upon its passage. .

**COPY ORIGINAL**

**ORDINANCE NO. 2017 - 2348**

**AN ORDINANCE ACCEPTING THE BID OF AGRI-SLUDGE INC. OF SHREVE OHIO IN THE AMOUNT OF \$109,125.00 FOR THE REMOVAL AND DISPOSAL OF SLUDGE AND BIOSOIL FROM THE LAGRANGE WASTEWATER TREATMENT PLANT AND DECLARING AN EMERGENCY**

**BE IT ORDAINED** by the Council of the Village of LaGrange, County of Lorain, and State of Ohio:

**SECTION 1.** That the bid of Agri-Sludge, Inc., for the removal and disposal of sludge and biosoil from the 2017 Wastewater Treatment Plant being the lowest and best bid received, is hereby accepted said bid being in the amount of \$109,125.00.

**SECTION 2.** That the Village Administrator is hereby authorized and directed to enter into a three-year contract with Agri-Sludge, Inc. in accordance with said bid.

**SECTION 3.** That any irregularities in the form of the bid are whereby waived

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

**SECTION 5.** That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the citizens of the Village of LaGrange, Ohio to wit: to accept the bid within the time required by law and to permit the timely removal of sludge and biosoil from the LaGrange Wastewater Treatment Plant so as to facilitate the operation of said treatment plant and shall take effect immediately upon passage.

PASSED: 1st Reading: 9/14/17  
2nd Reading: \_\_\_\_\_  
3rd Reading: \_\_\_\_\_

ATTEST: Kimberly Fallon  
Kimberly Fallon, Fiscal Officer

SIGNED: [Signature]  
Kim E. Strauss, Mayor

APPROVED AS TO FORM: [Signature]  
Jon D. Clark, Solicitor