

October 2016

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 COUNCIL 7:30 CAUCUS 7:15 STREETS, STORM WATER, UTILITIES	5 PLANNING COMMISSION 7:00 CAUCUS 6:45	6	7	8
9	10 COLUMBUS DAY CIVIL SERVICE COMM 4:00 (COMMUNITY ROOM #2)	11	12	13	14	15
16	17	18 COUNCIL 7:30 CAUCUS 7:15 B&BC, FINANCE AND SAFETY 6:00	19 PLANNING COMMISSION 7:00 CAUCUS 6:45	20	21	22
23	24	25 REC BOARD 6:00	26	27 BZA 7:00 CAUCUS 6:45	28	29
30	31 					

All meetings will be held at City Hall 14600 State Road, unless otherwise noted.

**NORTH ROYALTON CITY COUNCIL
A G E N D A
OCTOBER 4, 2016**

7:15 p.m. Caucus

Council Meeting 7:30 p.m.

REGULAR ORDER OF BUSINESS

1. Call to Order.
2. Opening Ceremony (Pledge of Allegiance).
3. Roll Call.
4. Approval of Consent Agenda: Items listed under the Consent Agenda are considered routine. Each item will be read individually into the record and the Consent Agenda will then be enacted as a whole by one motion and one roll call. There will be no separate discussion of these items. If discussion by Council is desired on any Consent Agenda item, or if discussion is requested by the public on any legislative item on the Consent Agenda, that item will be removed from the Consent Agenda and considered in its normal sequence under the Regular Order of Business.
 - a. Approval of Minutes: September 6, 2016 and September 20, 2016.
 - b. Receipt and acknowledgement without objection to Ohio Dept. of Liquor Control request for a D5 and D6 transfer permit for York and Sprague LLC, 7936 York Road & Patio.
 - c. Legislation: Introduce, suspend rules requiring 3 readings and referral to committee, and adopt those legislative items indicated with an asterisk (*).
5. Communications.
6. Mayor's Report.
7. Department Head Reports.
8. President of Council's Report.
9. Committee Reports:

Building & Building Codes	John Nickell
Finance	Larry Antoskiewicz
Review & Oversight	Dan Kasaris
Safety	Gary Petrusky
Storm Water	Dan Langshaw
Streets	Steve Muller
Utilities	Paul Marnecheck
10. Report from Council Representatives to regulatory or other boards:

Board of Zoning Appeals	Dan Kasaris
Planning Commission	Larry Antoskiewicz
Recreation Board	Paul Marnecheck
11. Public Discussion: Five minute maximum, on current agenda legislation only.

12. LEGISLATION

FIRST READING CONSIDERATION

- * 1. **16-139** - A RESOLUTION IN SUPPORT OF THE UTILITY WORKERS UNION OF AMERICA, LOCAL 270 IN THEIR QUEST TO RETAIN HEALTH CARE BENEFITS FOR RETIREES OF FIRST ENERGY.
- * 2. **16-140** - AN ORDINANCE AUTHORIZING A ONE YEAR EXTENSION OF THE JOINT MUNICIPAL IMPROVEMENT CONSORTIUM'S CONTRACT WITH PORTS PETROLEUM FOR THE PURCHASE OF FUEL FOR THE 2017 SEASON, AND DECLARING AN EMERGENCY.
3. **16-141** - AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 7 POLICE DEPARTMENT AND SECTION 11 WASTEWATER DEPARTMENT, AND DECLARING AN EMERGENCY.

4. **16-142** - AN ORDINANCE GRANTING A CONDITIONAL USE PERMIT TO 92JW IND. LLC/GRIZZLY GARAGE TO OPERATE AN AUTOMOBILE REPAIR FACILITY WHICH SHALL INCLUDE RETAIL SALES OF AUTOMOBILE PERFORMANCE PARTS, TO BE LOCATED AT 11683 ROYALTON ROAD, PPN 483-18-011, GENERAL INDUSTRIAL ZONING, PROPERTY OWNER JOHN WALAS, AND DECLARING AN EMERGENCY.
 5. **16-143** - AN ORDINANCE ACCEPTING THE BID OF NERONE & SONS, INC. FOR THE NORTH ROYALTON WASTEWATER TREATMENT PLANT B SCREW PUMP REPLACEMENT PROJECT FOR AN AMOUNT NOT TO EXCEED \$545,000.00 AS THE LOWEST AND BEST BID, AND DECLARING AN EMERGENCY.
 6. **16-144** - AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1264 BOARD OF ZONING APPEALS, SECTION 1264.08 REASONS FOR GRANTING VARIANCES, PARAGRAPH (e), AND DECLARING AN EMERGENCY.
 7. **16-145** – AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1284 SIGNS, BY AMENDING SECTIONS 1284.03, 1284.04, 1284.11, 1284.12 AND REPEALING SECTIONS 1284.05 AND 1284.06, AND DECLARING AN EMERGENCY.
13. Miscellaneous.
 14. Adjournment.

RESOLUTION NO. 16-139

INTRODUCED BY: Antoskiewicz, Nickell, Petrusky, Langshaw,
Marnecheck, Muller, Kasaris, Mayor Stefanik

A RESOLUTION IN SUPPORT OF THE UTILITY WORKERS UNION OF AMERICA, LOCAL 270 IN
THEIR QUEST TO RETAIN HEALTH CARE BENEFITS FOR RETIREES OF FIRST ENERGY

WHEREAS: The Utility Workers Union of America (UWUA), Local 270 has negotiated retiree health care coverage on behalf of their members for over sixty-five years; and

WHEREAS: In a letter dated August 5, 2013, FirstEnergy stated it has no intention of sharing in the cost of health care coverage for union retirees after April 30, 2017; and

WHEREAS: This dramatic shift in policy would have a crippling effect on the retirees of the Cleveland and Ashtabula Division of Local 270, and all active members when they retire - approximately 1,100 workers in all; and

WHEREAS: FirstEnergy, during recent negotiations with Local 270, proposed the end of retiree health care coverage, and despite the union's fourteen counter proposals, did not propose any options for the current retirees to offset the cost of health care; and

WHEREAS: Utility work is inherently dangerous, physically demanding work, where workers are exposed to known human carcinogens; and

WHEREAS: FirstEnergy has a moral obligation to both its active and retired workers, and they should fulfill that obligation and reinstate health care cost sharing for already affected retirees and cease its stated plan to end shared cost coverage for the retirees of the Cleveland and Ashtabula Division; and

WHEREAS: Council and the Mayor support the Utility Workers Union of America, Local 270 in their quest to retain health benefits for retirees of FirstEnergy.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. The Council and the Mayor of the City of North Royalton support the Utility Workers Union of America, Local 270 and demand FirstEnergy fulfill the moral obligation to its active members and retirees by fairly sharing the cost of health care coverage as it has done for many years.

Section 2. The Director of Legislative Services is hereby authorized and directed to send a copy of this Resolution to FirstEnergy and the Utility Workers Union of America, Local 270.

Section 3. It 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.

THEREFORE, provided this Resolution receives the affirmative vote of a majority of all members elected to Council, it shall take effect and be in force from and after the earliest period allowed by law.

PRESIDENT OF COUNCIL

APPROVED: _____
MAYOR

DATE PASSED: _____ DATE APPROVED: _____

ATTEST: _____
DIRECTOR OF LEGISLATIVE SERVICES

YEAS:

NAYS:



City of North Royalton

Mayor Robert A. Stefanik

Nick Cinquepalmi

Service Director

Service Department
440-582-3002
fax 440-582-3089

TO: Streets Committee – Steve Muller, Chairman
Larry Antoskiewicz, Vice Chair
John Nickell

FROM: Nick Cinquepalmi, Service Director

DATE: September 27, 2016

RE: 2017 Fuel Bid Recommendation

Please find attached the tally sheet from the Consortium Bid Opening for the 2017 Fuel Bid Program.

I am recommending that the City of North Royalton exercise the second year renewal option for the same pricing with Ports Petroleum at the expiration of the current contract on 12/7/16.

If there are any questions, do not hesitate to contact me. Thanks.

/aca

Encls

c: Mayor Robert Stefanik
Thomas A. Kelly, Law Director
Eric Dean, Finance Director
Laura Haller, Legislative Director
File

**CONSORTIUM BID TABULATION:
SUPPLYING GASOLINE & DIESEL FUEL**

Brecksville, Broadview Heights, Independence, North Royalton and Seven Hills

Bid Opening: October 23, 2015 9:00 a.m.

Present: Becki Riser, City of Brecksville, Ron Weidig, City of Brecksville, Jazmin Fanara, Express Courier (for Petroleum Traders)

<i>Total Cost per Gallon Calculation: OPIS average on order date + Differential + Taxes of \$.001 Fed LUST \$.28 OH Tax \$.0019 Oil Spill Tax</i>	PETROLEUM TRADERS <i>(same prices Year 1 & 2)</i>	PORTS PETROLEUM <i>(same prices Year 1 & 2)</i>	GREAT LAKES PETROLEUM <i>(same prices Year 1 & 2)</i>	MANSFIELD OIL CO. <i>(same prices Year 1 & 2)</i>
	<i>Price Differential (Add)</i>	<i>Price Differential (Add)</i>	<i>Price Differential (Add)</i>	<i>Price Differential (Add)</i>
NO LEAD PREMIUM GASOLINE, 93 OCTANE w/10% Ethanol Blend				
Transport	0.0025	(0.0094)	0.0000	(0.0121)
Tankwagon	No Bid	0.0900	0.0580	No Bid
Product Bid	Marathon, Musket, Global, Husky, etc.	Premium Gas	BP, Marathon, Center Oil, Sun, World Oil, Shell, US Oil, Valero, Husky, PBF, Global, Musket	TT-No Lead Premium Gasoline, 93 Octane
Name & Location of Refiner	Marathon/Cleveland	Various Suppliers & Refiners	Various	Husky Energy, Cincinnati, OH
NO LEAD MID-GRADE GASOLINE, 89 OCTANE w/ 10% Ethanol Blend				
Transport	(0.0001)	(0.0111)	0.0000	0.0194
Tankwagon	No Bid	0.0900	0.0580	No Bid
Product Bid	Marathon, Musket, Global, Husky, etc.	Mid-Grade Gas	BP, Marathon, Center Oil, Sun, World Oil, Shell, US Oil, Valero, Husky, PBF, Global, Musket	TT-No Lead Mid-Grade Gasoline, 89
Name & Location of Refiner	Marathon/Cleveland	Various Suppliers & Refiners	Various	Husky Energy, Cincinnati, OH
NO LEAD REGULAR GRADE GASOLINE, 87 OCTANE, w/ 10% Ethanol Blend				
Transport	(0.0185)	(0.0311)	0.0000	0.0089
Tankwagon	No Bid	0.0900	0.0580	No Bid
Product Bid	Marathon, Musket, Global, Husky, etc.	Regular Gas	BP, Marathon, Center Oil, Sun, World Oil, Shell, US Oil, Valero, Husky, PBF, Global, Musket	TT-No Lead Regular Grade Gasoline, 87 Octane
Name & Location of Refiner	Marathon/Cleveland	Various Suppliers & Refiners	Various	Husky Energy, Cincinnati, OH
ULTRA LOW SULFUR #2 DIESEL				
Transport	(0.0362)	(0.0311)	(0.0130)	(0.0102)
Tankwagon	No Bid	0.0900	0.0580	No Bid
Product Bid	Marathon, Musket, Global, Husky, etc.	On Road Diesel	BP, Marathon, Center Oil, Sun, World Oil, Shell, US Oil, Valero, Husky, PBF, Global, Musket	TT-Ultra Low Sulfur #2 Diesel
Name & Location of Refiner	Marathon/Cleveland	Various Suppliers & Refiners	Various	Husky Energy, Cincinnati, OH & ValvTech, IL
TRANSPORT DELIVERY MINIMUM ORDER/GALLONS				
Gasoline	7500	6000	7500	8500
Diesel	6500	6000	7500	7500
TANKWAGON DELIVERY MINIMUM ORDER/GALLONS				
Gasoline	NO BID	250	500	NO BID
Diesel	NO BID	250	500	NO BID
EXCEPTIONS	None	None	None	7,500 Combo for Transport Delivery, if transport loads w/ less than quoted gallons. Minimum freight charges will apply.

BID FORM - CONTRACT YEAR ONE (12/9/15 – 12/8/16)

Note: Price Differentials for previous contract were... Unleaded 87 = .0016 ULS #2 Diesel = (.0242)

	Price Differential	OPIS Average	Taxes & Fees (does not include Activity Tax)	Total Cost per Gallon (less Activity Tax)
	<i>Bidder's Adder - Used to determine best bid</i>	<i>Sample OPIS Average Pricing</i>	<i>\$.001 Fed LUST \$.28 OH Tax \$.0019 Oil Spill Tax</i>	<i>OPIS Avg + Price Differential + Taxes & Fees</i>
NO LEAD PREMIUM GASOLINE, 93 OCTANE, w/ 10% Ethanol Blend				
Transport	\$ -.0094	\$2.6800	\$0.2829	\$ 2.9535
Tankwagon	\$ +.09	\$2.6800	\$0.2829	\$ 3.0529
Product Bid	<i>Premium Gas</i>			
Name & Location of Refiner	<i>VARIOUS SUPPLIERS + REFINERS</i>			
NO LEAD MID-GRADE GASOLINE, 89 OCTANE, w/ 10% Ethanol Blend				
Transport	\$ -.0111	\$2.3200	\$0.2829	\$ 2.5918
Tankwagon	\$ +.09	\$2.3200	\$0.2829	\$ 2.6929
Product Bid	<i>MID-GRADE GAS</i>			
Name & Location of Refiner	<i>VARIOUS SUPPLIERS + REFINERS</i>			
NO LEAD REGULAR GRADE GASOLINE, 87 OCTANE, w/ 10% Ethanol Blend				
Transport	\$ -.0311	\$2.1100	\$0.2829	\$ 2.3618
Tankwagon	\$ +.09	\$2.1100	\$0.2829	\$ 2.4829
Product Bid	<i>REGULAR GAS</i>			
Name & Location of Refiner	<i>VARIOUS SUPPLIERS + REFINERS</i>			
ULTRA LOW SULFUR #2 DIESEL				
Transport	\$ -.0311	\$1.6835	\$0.2829	\$ 1.9353
Tankwagon	\$ +.09	\$1.6835	\$0.2829	\$ 2.0564
Product Bid	<i>ON ROAD DIESEL</i>			
Name & Location of Refiner	<i>VARIOUS SUPPLIERS + REFINERS</i>			

BID FORM - CONTRACT YEAR TWO (OPTION TO RENEW, 12/9/16 – 12/8/17)

	Price Differential	OPIS Average	Taxes & Fees (does not include Activity Tax)	Total Cost per Gallon (less Activity Tax)
	<i>Bidder's Adder - Used to determine best bid</i>	<i>Sample OPIS Average Pricing</i>	<i>\$.001 Fed LUST \$.28 OH Tax \$.0019 Oil Spill Tax</i>	<i>OPIS Avg + Price Differential + Taxes & Fees</i>
NO LEAD PREMIUM GASOLINE, 93 OCTANE, w/ 10% Ethanol Blend				
Transport	\$ <u>-0094</u>	\$2.6800	\$0.2829	\$ <u>2.9535</u>
Tankwagon	\$ <u>+0909</u>	\$2.6800	\$0.2829	\$ <u>3.0538</u>
Product Bid	<u>Premium</u>			
Name & Location of Refiner				
NO LEAD MID-GRADE GASOLINE, 89 OCTANE, w/ 10% Ethanol Blend				
Transport	\$ <u>-0111</u>	\$2.3200	\$0.2829	\$ <u>2.5918</u>
Tankwagon	\$ <u>+090</u>	\$2.3200	\$0.2829	\$ <u>2.6929</u>
Product Bid	<u>MID-GRADE</u>			
Name & Location of Refiner				
NO LEAD REGULAR GRADE GASOLINE, 87 OCTANE, w/ 10% Ethanol Blend				
Transport	\$ <u>-0311</u>	\$2.1100	\$0.2829	\$ <u>2.3618</u>
Tankwagon	\$ <u>+090</u>	\$2.1100	\$0.2829	\$ <u>2.4829</u>
Product Bid	<u>REGULAR</u>			
Name & Location of Refiner				
ULTRA LOW SULFUR #2 DIESEL				
Transport	\$ <u>-0311</u>	\$1.6835	\$0.2829	\$ <u>1.9353</u>
Tankwagon	\$ <u>+090</u>	\$1.6835	\$0.2829	\$ <u>2.0564</u>
Product Bid	<u>ON ROAD DIESEL</u>			
Name & Location of Refiner				

TRANSPORT DELIVERY: 6000 GALLONS OR MORE

TANKWAGON DELIVERY: 250 GALLONS MINIMUM

BID FORM SIGNATURE PAGE

NAME & ADDRESS OF BIDDER

AUTHORIZED SIGNATURE & TITLE

PORTS PETROLEUM CO., INC
1337 BLACHLEYVILLE RD.
WOOSTER, OH 44691

Wynne Peoples *Sales Manager*

WYNNE PEOPLES
(Please type or print name)

Phone: 330-804-9106

E-Mail: ronlay@portspetro.com

Fax: 330-804-9107

NAME & ADDRESS OF DELIVERY AGENT, IF DIFFERENT FROM BIDDER:

Phone: _____

Fax: _____

E-Mail: _____

ENCLOSED: 10% BID BOND, OR

\$ _____ BID CHECK

DATE OF BID 20 OCT 2015

AN ORDINANCE AMENDING ORDINANCE 10-103, STAFFING AND CLASSIFICATION PLAN FOR THE VARIOUS DEPARTMENTS OF THE CITY OF NORTH ROYALTON, SECTION 7 POLICE DEPARTMENT AND SECTION 11 WASTEWATER DEPARTMENT, AND DECLARING AN EMERGENCY

WHEREAS: In an effort to better serve the community, the Administration has proposed the restructuring of various departments to ensure that they are functioning as efficiently as possible; and

WHEREAS: It is therefore necessary to amend Ordinance 10-103 to allow for these changes; and

WHEREAS: Council desires to provide for this amendment.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Council hereby amends Ordinance No. 10-103, Staffing and Classification Plan, Section 7 Police Department, which shall hereinafter read as follows:

Section 7. The **Police Department** may employ and be staffed by employees classified in the following classifications providing that there shall be no greater number of employees employed in any one classification than specified herein.

<u>CLASSIFICATION (Job Title)</u>	<u>MAXIMUM NO. OF EMPLOYEES</u>
1) Chief of Police	One (1)
2) Lieutenant	Two (2)
3) Sergeant	Five (5)
5) Patrolman	Thirty Two (32)
6) Confidential Secretary to Chief	One (1)
7) Admin. Secretary/Clerical/Jail Custodian	Two (2)
8) Senior Animal Control Officer (Full time)	One (1)
11) Part-time Animal Warden	Two (2)
12) Record Room Clerk (full time)	One (1)
13) Reserve Police Officers	Twenty Five (25)
14) Maintenance	One (1)
15) Lead Corrections Officer (full time)	One (1)
16) Corrections Officer (full time)	Six (6)
17) Corrections Officer (part time)	Ten (10)
18) I.T. Systems Administrator-LAN Manager/ <i>I.T. Director</i>	One (1)
19) Clerical I (part time)	Sixteen (16)

Section 2. Council hereby amends Ordinance No. 10-103, Staffing and Classification Plan, Section 11 Wastewater Department, which shall hereinafter read as follows:

Section 11. The **Wastewater Department** may employ and be staffed by employees classified in the following classifications providing that there shall be no greater number of employees employed in any one classification than specified herein.

<u>CLASSIFICATION (Job Title)</u>	<u>MAXIMUM NO. OF EMPLOYEES</u>
1) Superintendent	One (1)
2) Assistant Supt. - Operations	One (1)
3) Assistant Supt. – Maintenance	One (1)
4) Lab Technician	Two (2) Three (3)
5) Certified Operator Certified I-II-III	Six (6) Seven (7)
6) Operator/Technician In Training	One (1)
7) Laborer I-II-III and/or Motor Equipment Operator	Five (5)
8) Mechanic	One (1)
9) Clerical/bookkeeper	One (1)
10) Inspector	One (1)
11) Summer Help Laborers (part time)	Two (2)



City of North Royalton

Mayor Robert A. Stefanik

Planning Commission

11545 Royalton Road, North Royalton, OH 44133

Phone: 440-582-3001

Email: dveverka@northroyalton.org

Fax: 440-582-3089

TO: Laura Haller, Director of Legislative Services

FROM: Diane Veverka, Secretary PC

DATE: September 22, 2016

RE: Conditional Use Permit – 92JW Ind. LLC / Grizzly Garage

On Wednesday, September 21, 2016, the PC made a motion and a second to recommend to Council approval of a Conditional Use as per C.O. 1278.04(d)(1) for John Walas, owner of 92JW Ind. LLC / Grizzly Garage to operate an automobile repair facility which would also include retail sales of automotive performance parts. The facility is located at 11683 Royalton Road Unit B also known as PPN: 483-18-011 in a General Industrial district.

Roll call: Yeas: Three - Tim Miller, Frank Castrovillari, Larry Antoskiewicz. Nays: None.
Motion carried.

Thank you,

djv

cc: File



September 2, 2016

Dave McNeeley
North Royalton WTPP
11675 Royalton Rd
North Royalton, OH 44133

RE: Bid Evaluation
Wastewater Treatment Plant "B" Screw Pump Replacement

Dear Mr. McNeeley:

This letter presents our evaluation of the bids received to identify the lowest responsible and responsive bidder for the above-referenced project. Seven general bids were received and opened on Aug-17-2016. Each bid package has been analyzed for cost, correctness, completeness and compliance with the required bidding provisions. A Bid Results Spreadsheet summarizing the bid packages received is provided as Attachment 1.

Summary of Bids

The totals for the bids received are shown in the table below:

Bid #	Contractor	Bid Amount	% Above Lowest Bidder
1	Nerone & Sons	\$545,000.00	0%
2	Workman Indust.	\$554,200.00	2%
3	Cold Harbor	\$563,700.00	3%
4	North Bay Const.	\$586,735.00	8%
5	Buckeye	\$730,000.00	34%
6	Kenmore	\$791,740.00	45%
7	ABC	\$947,000.00	74%
	Engineer's Estimate (no contingency)	\$958,339.00	76%

Upon review of the bid amounts, it is believed that there was strong competition between the four lowest bidders and competitive pricing offered by Lakeside (the screw pump manufacturer).

Analysis of Low Bidder

Nerone & Sons, Inc (N&S) of Warrensville Heights, Ohio submitted the lowest total bid at \$545,000.00. No calculation errors were discovered during review of N&S's bid form. The next three low bids are 2% (\$9,200), 3% (\$18,700), and 8% (\$41,735) higher than the low bid.

N&S brands itself as a family owned and operated general contracting firm that has serviced the Greater Cleveland area since 1955. They claim extensive experience in both the private and public sector. Publicized experience for water and wastewater treatment facilities includes



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general site work; storm, sanitary, force main, fire and water pipelines; waterworks; and lift stations. They also claim experience in general earthwork, park development, sports complexes, commercial swimming pools and marinas.

N&S listed several completed projects in their bid with total contract values between \$10,000 and \$12.8 million. No completion dates were provided. Their project list does not provide sufficient information to determine if the experience is relevant to the North Royalton B "Screw Pump" Replacement project. It is recommended that the City obtain from N&S a list of at least three (3) completed contracts identifying experience relevant to this project, including scope, location, date completed and project manager.

Two references provided by N&S were contacted. All feedback was positive. MWH has also worked with N&S in the past, and MWH project managers provided positive feedback as well. Based on statements provided by these references, it is expected that N&S can meet the minimum qualifications set forth for this project.

Based on the submitted bid value and positive reference feedback, N&S appears to be the lowest responsive and responsible bidder, pending additional information from N&S to confirm their relevant project experience.

Recommendation

It is our recommendation, based on the information obtained, that the City of North Royalton award this contract and issue a Notice of Award to Nerone & Sons, Inc of Warrensville Heights, OH as the lowest responsive bidder with a bid of \$545,000.00.

As allowed by the Instruction to Bidders, we recommend the City exercise its option of requesting additional qualification information from N&S to further evaluate its financial capabilities (financial statement), the experience of the firm and the experience of key personnel prior to issuing the Notice of Award.

Respectfully yours,

A handwritten signature in cursive script that reads "Janet T. Kern-Vannoy".

Janet T. Kern-Vannoy

Attachments:

Attachment 1: Bid Results Spreadsheet

Bidder's Name	Nerone and Sons	Workman Industrial	Cold Harbor	North Bay Const	Buckeye	Kenmore	ABC
Bid Document Requirements							
Addendum Received	yes	yes	yes	yes	yes	yes	yes
Bid Proposal Signed	yes	yes	yes	yes	yes	yes	yes
Bid Form Complete	yes	yes	yes	yes	yes	yes	yes
List of Named Equipment/Material Manufacturers Complete	yes	yes	no	yes	yes	yes	yes
Substitution Sheet Complete	none proposed	none proposed	none proposed	yes	yes	yes	no
Subcontractor Information Complete	yes, but no address or experience provided	yes, but no experience provided	yes, but no experience provided	yes	yes	yes, but no experience provided	no
Bidder's Qualifications Complete	yes, but missing specific pump project resume	yes	yes	no. No resume provided	no. No resume provided	yes	yes
Non-Collusion Affidavit Complete	yes	no	yes	yes	yes	yes	yes
No Delinquent Personal Property Tax Affidavit Complete	yes	no	no	yes	yes	yes	yes
Delinquent Personal Property Tax Affidavit Complete	no	no	no	no	no	no	no
Campaign Finance Law Letter & Certification Complete	no	no	no	no	no	no	no
Performance/Payment Bond							
Bid & Performance/Payment Bond	yes	yes	yes	yes	yes	yes	yes
Power of Attorney	yes	yes	no	yes	yes	yes	yes
Insurance Certificate of Compliance	yes	yes	yes	yes	yes	yes	yes
Reference 1	NEORS (Positive Reference)						
Reference 2	Mike Schaeffer (Positive)						
	Lou Cover at North Ridgeville (Positive)						
Pump/Motor	Lakeside/Weg-Rossi	Lakeside/Weg-Rossi	Lakeside/Weg-Rossi	Lakeside/Weg-Rossi	Lakeside/Weg-Rossi/Sumitomes(Gear Box)	Lakeside/Weg-Rossi	Lakeside/Weg-Rossi
Mobilization	\$22,000.00	\$11,000.00	\$10,500.00	\$5,750.00	\$14,000.00	\$11,740.00	\$20,000.00
Screw Pump Assembly #1	\$257,000.00	\$264,920.00	\$276,000.00	\$290,770.00	\$344,000.00	\$400,000.00	\$448,500.00
Screw Pump Assembly #2	\$257,000.00	\$264,920.00	\$270,000.00	\$286,690.00	\$344,000.00	\$375,000.00	\$448,500.00
Minor Electrical	\$9,000.00	\$13,360.00	\$7,200.00	\$3,525.00	\$28,000.00	\$5,000.00	\$30,000.00
Total	\$545,000.00	\$554,200.00	\$563,700.00	\$586,735.00	\$730,000.00	\$791,740.00	\$947,000.00

AN ORDINANCE AMENDING THE CODIFIED ORDINANCES OF THE CITY OF NORTH ROYALTON, PART 12 PLANNING AND ZONING CODE, CHAPTER 1264 BOARD OF ZONING APPEALS, SECTION 1264.08 REASONS FOR GRANTING VARIANCES, PARAGRAPH (e), AND DECLARING AN EMERGENCY

WHEREAS: It has been determined to be necessary to clarify and expand the language contained in the Codified Ordinances regarding the reasons for granting variances by the Board of Zoning Appeals; and

WHEREAS: It is therefore necessary to amend the Codified Ordinances of the City of North Royalton, Part 12 Planning and Zoning Code, Chapter 1264 Board of Zoning Appeals, Section 1264.08, Paragraph (e); and

WHEREAS: Council desires to provide for these changes.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF NORTH ROYALTON, COUNTY OF CUYAHOGA AND STATE OF OHIO, THAT:

Section 1. Part 12 Planning and Zoning Code, Chapter 1264 Board of Zoning Appeals, Section 1264.08, Paragraph (e) (1) (I) is hereby amended to herein after read as follows:

1264.08 (e)(1)

I. Whether special conditions or circumstances exist as a result of actions of the owner, *including but not limited to, owner's willful failure to comply with relevant building or zoning codes;*

Section 2. Part 12 Planning and Zoning Code, Chapter 1264 Board of Zoning Appeals, Section 1264.08, Paragraph (e) is hereby amended by creating a new subparagraph (3) which shall hereinafter read as follows:

1264.08 (e)

(3) *No variance shall be granted to allow for the expansion or substitution of a lawful non-conforming use unless the board finds that the applicant will suffer unnecessary hardship if strict compliance with the terms of the Code is required and such hardship must be demonstrated by clear and convincing evidence as to all of the following criteria:*

A. Whether the applicant's current non-conforming use has been reduced, modified, or eliminated;

B. Whether the applicant's non-conforming expansion or substitution use variance is reasonable for the zoned area. (A material or significant expansion or substitution is not reasonable).

C. Whether other non-conforming parcels are located within the zoned area;

D. Whether the expansion or substitution of the non-conforming use is less detrimental to the zoned area than the existing non-conforming use of the property;

E. Whether the expansion or substitution of the non-conforming use is immaterial, nominal, or a minimal addition or expansion of the use (20% or less expansion is considered minimal);

F. Whether the essential character of the neighborhood would be altered or whether adjoining properties would suffer any greater detriment as a result of the expansion or substitution of the non-conforming use;

G. Whether the expansion or substitution of the non-conforming use would adversely affect the delivery of governmental services (e.g., water, sewer, garbage collection);

H. Whether special conditions and circumstances exist which are peculiar to the land or structure involved and which are not applicable generally to other lands or structures in the same Zoning District;

I. Whether the spirit and intent behind the zoning requirement would be observed and substantial justice done by granting a variance.

J. Whether the proposed expansion or substitution will create a new or different non-conforming use.

K. Whether the expansion or substitution of the non-conforming use will create a nuisance or a threat to public safety.

Section 3. Chapter 1264 of the Codified Ordinances of the City of North Royalton is hereby amended as provided for herein and all other provisions of Chapter 1264 shall remain in full force and effect.

Section 4. This Ordinance shall supersede all previously adopted Ordinances in direct conflict herewith.

1284.03 CLASSIFICATIONS AND DEFINITIONS.

(a) Classification by Use Types. Signs shall be classified by use type as follows:

(1) "Permanent sign" means a sign designed for use for an indefinite period of time.

A. Permanent signs shall not be constructed with any material deemed "Temporary" such as poster board, card board, hardboard (Masonite), particle board, plywood or plastic material and mounted to wood, metal or wire frames or supports.

B. Permanent signs shall be constructed from quality materials that will withstand the variable weather of Northeast Ohio including but not limited to non-corroding metals, masonry, carved wood or solid-core PVC sign board, exterior rated acrylic, paint, and vinyl.

C. Permanent signs shall include the following:

(i) "Bulletin board" means an announcement sign which directs attention to and is located on the lot of a public or semipublic institution.

(ii) "Directional sign" means a sign indicating only the direction of pedestrian and vehicular circulation routes on the lot on which the sign is located. No advertising shall be permitted on directional signs.

(iii) "Free-standing sign" means a ground sign, pole sign or pylon sign typically located within a front yard setback.

(iv) "Identification sign" means a sign indicating the name and address of a building, development, public or semipublic facility, business, office or industrial establishment. For business uses, such sign may also include the principal type of goods sold or services rendered. However, the listing of numerous goods or services, prices, and sale items shall not be permitted.

(2) "Temporary sign" means a sign designed for use for a limited period of time to announce special events or sales and the sale, lease or rental of property. Temporary signs need not meet the structural criteria of a "Permanent Sign", shall be no larger than thirty-two square feet and shall not be more than six feet high. The time limits for expiration of the approval and the criteria for extension of that time period, if any, shall be part of the approval by the Building Commissioner. Temporary signs shall include the following:

A. "Portable sign" means a sign which is designed to be moved and is not permanently attached to any part of a building or to the ground.

B. "Project sign" means a sign which directs attention to the promotion, development and construction of the property on which it is located and which identifies the owner, architect, engineer, contractor and other individual or firm involved with the construction. A temporary project sign shall be removed immediately upon commencement of the intended use, sale of the property, substantial completion or the issuance of a certificate of occupancy, but not later than the period covered by permit.

C. "Real estate sign" means a sign advertising the sale, rental or lease of the premises or part of the premises on which the sign is displayed. A temporary real estate shall be removed immediately upon the sale of the property.

D. "Other temporary signs" including but not limited to temporary banners announcing sales, new products or special business events may be permitted in addition to the maximum gross area of a permanent business sign, and such signs may be placed on the inside of windows and doors and on the exterior of the building, provided that the gross area of all the temporary signs does not exceed twenty percent of the maximum area of permanent signs permitted for each establishment and provided that such temporary signs are not displayed more than 90 consecutive days.

(b) Classification by Structural Types. Signs shall be classified by structural type as follows (see also Illustration G):

(1) "Building sign" means the following:

A. "Canopy sign" means a sign attached to the soffit or fascia of a canopy, covered entrance or walkway, or to a permanent awning or marquee, and not projecting beyond the edges of the same.

B. "Projecting sign" means a sign attached to an outside building wall and which projects at a ninety-degree angle therefrom.

C. "Roof sign", no longer permitted, and considered to be nonconforming, means a sign which is mounted on the rooftop deck of a building or which is wholly dependent upon a building for support and which projects above the point of a building with a flat roof.

D. "Wall or panel sign" means a sign integral with the face of an exterior building wall or mansard roof (when used as an architectural feature, canopy or covered walkway) or attached to and parallel with the wall or roof.

E. "Window sign" means a sign painted, attached or affixed to the interior surface of windows or doors of a building.

(2) "Free-standing sign" means the following:

A. "Ground sign" means a sign not exceeding seven feet in height, which may have a supporting base as an integral part of the sign, resting totally on the ground or on two or more short poles or columns not exceeding twenty-five percent of the total sign height.

B. "Pole sign", no longer permitted, and considered to be nonconforming, is a sign which is supported by or suspended from a free-standing column or columns and more than seven feet high.

C. "Pylon sign" means a sign exceeding seven feet, but not more than ten feet, in height, whose sign face area extends from the top of the sign to within one foot of the ground. The support structure must present one solid face per side and be at least three fourths the width of the sign face.

(c) Additional Definitions:

(1) "Building Commissioner" for the purposes of this Chapter, when reference is made to the Building Commissioner, that shall mean and include his or her designee.

(2) "Changeable copy sign" means a sign, or any portion thereof, where the message or graphics are not permanently affixed to the structure, framing or background and may be periodically replaced or covered over, manually or by mechanical devices.

(3) "Electronic moving message/digital display sign" means a sign, or portion thereof, that displays electronic text information, or still images, graphics or pictures, with or without information. the message shall be defined by a small number of matrix elements using different combinations of light emitting diodes (led's), fiber optics or other illumination devices within the display area, and the message change sequence shall be accomplished immediately or by means of face, repixelization, or dissolve modes. Electronic graphic display signs include computer programmable, microprocessor controlled electronic or digital displays.

(4) "Informational sign" means a sign which presents miscellaneous information to the public and does not promote a business, office, industry, product or issue. Typical informational signs present scheduled events, travel information, vehicle service, weather, time and historic and scenic data.

(5) "Nameplate" means a sign indicating the name, address or profession of the person or persons occupying a building or unit of a building.

(6) "Organizational sign" means a sign devoted exclusively to the identification of national, State and local service clubs and the location and meeting dates of such clubs. The number, location and design of organizational signs shall be approved by the Building Commissioner.

(7) "Sign" as used in this chapter, means any object, device, display or structure, or part thereof, situated outdoors or indoors, which is used to advertise, identify, display, direct or attract attention to an

object, person, institution, organization, business, product, service, event or location by any means, including words, letters, figures, designs, symbols, fixtures, colors, illumination or projected images.

**ILLUSTRATION G:
[RE-INSERT SIGN TYPE ILLUSTRATIONS FROM ORIGINAL CODE]**

1284.04 GENERAL REQUIREMENTS.

1284.04(a) MEASUREMENT STANDARDS.

(1) **Sign Area.** That portion of a sign to be considered in determining its dimension shall be the area that is normally visible from any one direction. For example, a single-faced rectangular wall sign measuring four feet by six feet would have a sign area of twenty-four square feet. Free-standing signs may, however, have more than a single sign face. In such case, the maximum permitted sign face area for a single sign face shall apply to all sign faces. For example, if a sign face area of twenty-four square feet is permitted for a single sign face, a double-faced sign is permitted twenty-four square feet of sign face area for each sign face, or a total of forty-eight square feet. Frames and structural members not including advertising matter shall not be included in calculation of surface area. A logo, however, is to be considered part of the sign. The area shall be measured by the smallest square, rectangle or triangle, or any combination thereof, which will encompass the entire advertising device, including border, trim, cutout and extension.

(2) **Building and Lot Frontages.** Whenever the area of a sign is related to the size of the building or lot, the following shall apply:

A. The frontage of a building shall be the width of the facade of the building (excluding any roof overhang or non-bearing decorative walls) which faces the principal street or contains the main entrance. If a building is divided into units, the building unit frontage shall be the width of the unit, as measured from the party wall centerlines, on the frontage of the building.

B. The frontage of a lot not covered by a building shall be the number of linear feet the lot abuts on the principal street.

C. The maximum gross area of all permanent signs for each tenant occupying a building, or unit of a building, shall be related to the width of the building unit, adjusted, however, so that smaller establishments may be permitted reasonable sign areas and so that the large establishments may not have excessive sign areas.

(3) **Temporary Window Sign Coverage.** In determining the percentage of window area covered by temporary signs, each facade or side of the building shall be considered separately. Window area shall be measured to include all windows and the glass portions of doors, but shall exclude all such area covered by permanent signs or other relatively permanent material.

(4) **Sign Height.** The height of free-standing signs shall be measured from the base of the sign at its point of attachment to the ground to its topmost element. However, if the support of a free-standing sign is attached to a wall or other man-made base, including a graded earth mound, the sign height shall be measured from the grade of the nearest street, drive or parking area, as determined by the Building Commissioner.

(5) **Sign Location.** In determining the location of signs in relation to lot lines, including zoning district and street right-of-way lines, distances shall be measured from the vertical projection of the lot line, zoning district line or street right-of-way line to the closest point on the sign.

(6) **Corner Lots.**

A. Buildings, building units or lots with frontage on two public streets may be permitted additional signage along the secondary street, provided that such additional signage shall not exceed 20% of the area of the signage permitted along the main facade, and provided, further, that such signage shall not exceed the number of signs permitted for the principal facade and street. There shall be no greater than one building sign per street face and a maximum of two building signs per building.

B. In the case of building units within a building, an individual building unit must have direct frontage and customer entrances on both the principal street as well as the secondary street to be eligible for any additional signs under this subsection.

1284.04(b) DESIGN STANDARDS.

Signs, as permitted in the various zoning districts, shall be designed so as to be similar in character with regard to material, color and size to signs designed or located on the same building and on adjoining buildings in order to equalize the attention they are meant to attract and to produce an overall unified effect, and in accordance with the following standards:

(1) Sign Bands Across Multiple Store Fronts. In the case of a strip center-type business building that provides an unbroken "sign band" across multiple store fronts, the Building Commissioner may, for reasons of aesthetics and balance, approve signs that may not comply with the requirement that a sign shall be set back three feet from the party wall of the business to which it pertains.

(2) The elements of the sign shall create an overall cohesive design, reflect simplicity, avoid visual clutter and ensure legibility. To that end, each sign shall:

- A. Be consolidated into a minimum number of elements, whether words, symbols or graphics.
- B. Have a simple shape.
- C. Have appropriate contrast.
- D. Be designed with a limited number of, and harmonious use of, color.
- E. Be constructed with a minimum number of materials.
- F. The number of items of information displayed shall be limited to ten items. An "item of information" includes a symbol, geometric shape, logo, word, abbreviation or number, or a grouping of letters or numbers which together convey meaning.

(3) Window signs shall have a clear background. A maximum of eight window signs is allowed.

(4) No part of a sign is allowed to extend above parapet, eave or gutter line.

(5) Projecting Signs. Projecting signs may be attached to the building wall or canopy and project at an angle of approximately 90 degrees for a distance of not more than three feet. Projecting signs shall be located not less than five feet from a party wall line, and the lowest member of a projecting sign shall be at least eight feet above a public sidewalk. Signs shall not project into any dedicated right-of-way or private drive.

(6) Ground Signs. Permanent ground signs shall not extend higher than seven feet above the finished grade or what is permitted within the zoning district, whichever is lower.

(7) Vertical Dimensions. The lowest member of all signs, with the exception of ground signs, which project or are supported on posts, shall be not less than eight feet above the finished grade of a sidewalk or any other pedestrian way. If located over a pavement used for vehicular traffic or within 18 inches of the vertical projection of the edges of such pavement, the lowest member of the sign shall be not less than 15 feet above the finished pavement.

(8) Relation to Windows, Doors and Emergency Means of Egress. Signs shall not project over or obstruct the required windows or doors of any building, shall not be attached to or obstruct a fire escape,

and shall not interfere with other safety provisions as may be further regulated in the Building and Housing Code or the Fire Prevention Code of the City.

(9) Relation to Traffic Devices. Signs shall not be erected so as to obstruct sight lines along any public way, traffic control lights, street name signs at intersections, street sight lines or signals at railroad grade crossings. Signs visible from the sight lines along a street shall not contain an arrow or words such as "stop", "go", "slow", etc., and the movement, content, coloring or manner of illumination shall not resemble highway traffic signs.

(10) Corner Lots. No sign shall be allowed within a triangle formed between points on the front and side lot lines within 35 feet from their intersection.

(11) Changeable Copy Sign shall include mechanical and manual changeable copy. Changeable copy signs shall be permitted in industrial, public facility and business districts only and subject to the following limitations:

A. Changeable copy signs may be included as an integral part of the area of a permitted pylon or ground sign, provided that the changeable copy portion does not exceed 30% of the total sign face area of the sign. The items of permanent information shall be modified according to the following schedule:

Changeable Copy Area As a Percent Total Sign Area	Maximum Number of Permanent of Items of Information
No changeable copy:	10
Up to 25%:	7
26-30%:	4

B. All changeable copy shall comply with the lettering style, lettering color, background color and all other elements approved by the Building Commissioner but in no event display more than four lines of characters at one time with a maximum total sign text limited to ten items to allow passing motorist to read the entire copy with minimal distraction; and

C. The changeable copy or any portion of the message shall have a minimum duration of eight seconds and must be a static display. No portion of the message may flash, scroll, twirl, change color, fade in or out, or in any manner imitate movement; and

D. The changeable copy shall otherwise demonstrate compliance with all other provisions of the zoning district in which the sign is located and North Royalton Ordinance Chapter 1284; and

E. Changeable copy signs shall be permitted on the site of the use identified or advertised by the sign. No off site advertising or messages shall be displayed; and

F. Audio speakers or any form of pyrotechnics are prohibited in any sign.

(12) Movement Restrictions. No sign shall employ any parts or elements or lights which revolve, rotate, whirl, spin, flash or otherwise make use of motion to attract attention. Posters, ribbons, streamers, spinners, or other similar devices for the purpose of advertising or attracting attention are prohibited.

(13) Continuity. Signs and their placement shall be considered in relation to their surroundings and, if seen in series on a building wall, shall have continuity of design with respect to shape, materials and colors.

(14) **Style and Color.** The style or design of signs shall be consistent throughout a particular building. The colors of signs shall be compatible with the color of the building facade and other existing and proposed signs.

(15) **Graphics.** The lettering on a sign shall be clearly legible and in scale with the sign surface upon which it is placed.

(16) **Materials.** Signs shall be constructed of materials which are of appropriate quality and durability and which are compatible with the materials of the building upon which such signs are placed.

(17) **Construction Specifications.**

A. **Compliance with Building Code.** All signs shall comply with the appropriate detailed provisions of the Ohio Building Code relating to construction, design, structural members and connections. Signs shall also comply with the provisions of the National Electrical Code and the additional construction standards hereinafter set forth in this section.

B. **Construction of Signs, Auxiliary Specifications.**

(i) **Identification and marking.** Each sign hereafter erected or remodeled shall bear, in a permanent position thereon a clearly legible identification plate stating the name and address of the owner of the sign, and the person, firm or corporation responsible for its construction, erection and the date of erection.

(ii) **Obstruction to exits.** No sign shall be erected, constructed, or maintained so as to obstruct any fire escape, required exit, window or door opening used as a means of egress.

(iii) **Obstruction to ventilation.** No sign shall be attached in any form, shape or manner which will interfere with any opening required for ventilation, except that such signs may be erected in front of and may cover transom windows when not in violation of the provision of the building or fire prevention code.

(iv) **Signs shall be located in such a way as to maintain horizontal and vertical clearance of all overhead electrical conductors in accordance with National Electrical Code specifications, depending on voltages concerned. In no instance shall a sign be installed closer than twelve inches, horizontally or vertically, from any conductor or public utility guy wire.**

(18) **Free-Standing Signs - Materials.** All free-standing sign structures shall be self-supporting structures erected on and permanently attached to concrete foundations. Foundations shall be designed to carry weight and wind load of the sign, in soil which it is placed. Such structures shall be fabricated only from painted or galvanized steel, or such other materials as may provide equal strength.

(19) **Electric Signs.** The full number of illuminating elements thereof shall be kept in safe and working condition or immediately repaired or replaced, if faulty. Signs that are only partially illuminated shall meet all electrical requirements for that portion directly illuminated. All electric signs shall have a disconnect switch.

(20) **Glass.** When glass is used for sign letters or transparent or translucent panels, it shall be at least double strength thickness for sign areas up to and including three hundred square inches. When glass is used for sign letters or transparent or translucent panels for sign areas in excess of three hundred square inches at least one-quarter inch wire glass shall be used and the maximum span between supports shall be four feet.

(21) **Plastic.** Plastic shall be of thickness and type necessary to withstand local wind loadings. Proper allowance or provision shall be made in connections to provide for thermal contraction and expansion.

(22) Strength of Parapet, Wall. A parapet wall must be designed for and have sufficient strength to support any sign which is attached thereto.

(23) Supports and Braces. Metal supports or braces shall be adequate for all loading, imposed on the sign. All metal, wire cable supports and braces and all bolts used to attach sign to bracket or brackets and signs to the supporting building or structure shall be of galvanized steel or of an equivalent material. All sign supports shall be an integral part of the sign design.

(24) Wind Loads. The sign and all of the associated elements shall be designed to withstand all of the wind loads imposed on the structure.

(25) Sign Anchoring. Signs shall be anchored to prevent any lateral movement that would cause wear on supporting members or connections. No sign shall be suspended by chains or other devices that will allow the sign to swing due to wind action, unless specifically designed by means of bearings or other methods approved, to allow for movement.

(26) Landscaping requirements for allowed ground signs are as follows:

- a. Salt or drought-resistant plants shall be stressed for inclusion into project.
- b. Plant material that displays year-round interest shall be used around the base of the sign.
- c. Plant material shall be designed to screen light fixtures from view.
- d. Whenever possible, landscaping should extend around all four sides of permissible ground signs.
- e. Within TCD-1 through TCD-5, landscaping shall be irrigated.

(27) Notwithstanding any other provision of this Code, no sign shall be subject to any limitation based on the content of the message contained on such sign.

1284.04(c) ILLUMINATION.

(a) Light sources to illuminate signs shall be shielded from all adjacent residential buildings and streets and shall not be of such brightness as to cause glare that may be hazardous to pedestrians or auto drivers or so as to cause reasonable objection from adjacent Residential Districts.

(b) In Public Facilities, only nameplates and bulletin boards may be illuminated. All signs in Business and Industrial Districts may be illuminated. Parking lot signs and temporary subdivision signs may be illuminated in accordance with the provisions of this section.

1284.04(d) ELECTRONIC MOVING MESSAGE/DIGITAL DISPLAY SIGNS.

(1) Electronic moving message/digital display signs shall be sympathetic to the surrounding area and shall maintain the existing characteristics of the city. Such signs shall be permitted in industrial, public facility and business districts. Such signs are permitted only on a property under a single ownership exceeding two (2) acres in area, and having at least 200 feet of frontage on a single public right of way, in accordance with the following regulations and other applicable regulations of this chapter.

- A. Electronic moving message/digital display signs, shall comply with the following:
 - (i) Subject matter. The sign can only advertise establishments or events actually located upon the specific property.
 - (ii) Hours. The sign can only operate during the actual hours of business for establishments located on the specific property.

- (iii) Frequency. Copy (lettering) change shall not be more frequent than once per 15 seconds. There shall be a three (3) second “pause” in which a still image or blank screen is shown following every message.
 - (iv) Prohibited signs.
 - a. Flashing sign – a directly or indirectly illuminated sign, or portion thereof, that exhibits changing light or color effect by any means, so as to provide intermittent illumination that changes light intensity in sudden transitory bursts and creates the illusion of intermittent flashing light by streaming, graphic bursts showing movement, or any mode of lighting which resembles zooming, twinkling, or sparkling;
 - b. Spinning;
 - c. Rotating; and
 - d. Video – imagery produced by signs that have the capability of processing up to 30 frames per second.
 - B. Color. Copy (lettering) shall be capable of producing a full color spectrum.
 - C. Brightness
 - (i) All digital displays shall be illuminated.
 - (ii) At a level no greater than 0.3 foot candles over ambient light levels for location and time when measured at the recommended distance based on the digital display size, and shall employ light cut-off devices, such as but not limited to louvers, in order to minimize light escaping above a horizontal plane.
 - (iii) All digital displays must be equipped with both a dimmer control and photo sensor, which will automatically adjust the display intensity according to natural ambient light conditions.
 - (iv) Digital displays may not display light of an intensity or brilliance to cause glare or otherwise impair vision of the operator of a motor vehicle.
 - D. Spacing. There shall be a minimum distance of 200 feet between electronic moving message/digital display signs.
 - E. Number of signs. One electronic moving message/digital display sign shall be permitted per single property.
 - F. Illumination. At no time shall the total face illumination area fall below 98%.
 - G. Images. There shall be not more than three (3) separate images on one sign at one time.
 - H. Maintenance. A default mechanism must be provided to turn the sign off in case of malfunction.
- (2) Electronic moving message/digital display Bottom of Form signs shall be limited to ground (monument) signs only, subject to number, size, and setback requirements in the zoning district specific regulations. The digital display shall be fully framed and shall not exceed fifty percent (50%) of the total area of the sign.
- (3) All electronic moving message/digital display signs, and parts thereof, shall be securely constructed in conformance with applicable city building, fire and electrical codes, and with the applicable standards of this chapter. All signs shall have a surface of facing materials which are durable for the intended life of the sign. All signs shall be attached in compliance with applicable local and state codes. The electrical connections shall be concealed, and the electrical conduits shall be installed below grade, where not in conflict with the most recently adopted edition of the national electrical code.

1284.11 SIGNS IN INDUSTRIAL DISTRICTS.

(a) Scope: Accessory signs in Research-Office, Commercial Service, General Industrial Districts and Unified complexes or parkways shall follow the regulations described within this ordinance (1284 Signs) with the exception of special regulations identified for Industrial Districts.

(b) Use Types Permitted: The following use types shall be permitted in Industrial Districts:

- (1) Directional signs
- (2) Identification signs
- (3) Nameplate
- (4) Real estate and project signs of a temporary nature

(c) Structural Types Permitted: The following structural types shall be permitted in Industrial Districts:

- (1) Identification Signs – permanent Wall/Panel signs
- (2) Freestanding – permanent Ground/Pylon signs
- (3) Freestanding – permanent Directional signs

(d) Maximum Gross Area and Number Permitted: Allowable permanent signs shall conform to the structural type, maximum number and area limitations set forth as follows:

- (1) Permanent Signs attached to Buildings shall comply with Table 1284.11(d)(1)
- (2) Permanent freestanding ground of pylon signs shall conform with Table 1284.11(d)(2)
- (3) A unified complex or parkway consisting of three (3) or more buildings served by a common local access road shall be permitted a supplemental freestanding identification sign at the entry to the development and shall conform with Table 1284.11(d)(2)

(e) Locating Freestanding Ground or Pylon Signs:

(1) Signs in Industrial Districts shall be located so as to maintain the same setback and yards as required for buildings, except that one commercial or industrial ground sign may be permitted within the required yards.

- (2) In no circumstance shall freestanding signs obstruct the site lines of traffic.

Table 1284.11(d)(1) Permanent Signs Attached to Buildings in Industrial Districts			
Type	Maximum Number Permitted	Maximum Sign Face Area Allowance	Maximum Area
Research-Office District			
Nameplate	1 per address	Not Applicable	2 square feet (a)
Wall or Panel Sign (b)	1 per building	1 square foot for each linear foot of building frontage	75 square feet
Commercial Service District			
Nameplate	1 per address	Not Applicable	2 square feet (a)
Wall or Panel Sign (b)	1 per building or 1 per each tenant	1-1/4 square feet for each linear foot of building frontage	75 square feet
General Industrial District			
Nameplate	1 per address	Not Applicable	2 square feet (a)
Wall or Panel Sign (b)	1 per building or 1 per each tenant	1-1/2 square feet for each linear foot of building frontage	75 square feet
(a) Area of nameplate sign can be reasonably modified by the Building Commissioner due to sight lines or visibility. (b) Buildings that require identification at entrances may be permitted up to 1 additional wall or panel sign but must keep within the square footage allowance for the building.			

Table 1284.11(d)(2) Freestanding Ground, Pylon or Directional Signs in Industrial Districts				
Type	Maximum Number Permitted	Maximum Sign Face Area Allowance	Maximum Height	Maximum Setback
Ground Sign (a)(c)(d)	1	75 square feet per side	7 feet	25 feet to the edge of the street or pavement (d)
Pylon Sign (b)(c)(d)	1	100 square feet per side	10 feet	25 feet to the edge of the street or pavement (d)
Directional Signs (e)(f)(g)	2 per driveway	4 square feet	6 feet	10 feet from public right-of-way and edge of pavement

(a) Permitted information: The name and address of the facility and the name(s) of the tenants.
 (b) Permitted information: The name and address of the unified complex or parkway and the name(s) of the tenants located in the unified complex.
 (c) A unified complex or parkway is allowed 1 sign, either a ground or Pylon Sign.
 (d) Signs shall be located no less than 100 feet from any adjacent Residential District. The distance to Residential District can be modified to 50 feet by the Building Commission for lot widths consisting of less than 200 feet.
 (e) Permitted information: indicates direction to specific buildings within the complex as well as ingress and egress routes.
 (f) Letter heights for directional shall be at least 2-1/2 inches.
 (g) Additional Directional Signs may be permitted at the discretion of the Building Commission to provide for additional pedestrian and vehicular traffic.

1284.12 SIGNS IN TOWN CENTER / MAIN STREET DISTRICTS.

- (a) **Scope:** Accessory signs in Town Center/Main Street (TCM) Districts shall follow the regulations described within this ordinance (1284 Signs) with the exception of special regulations identified for Town Center/Main Street Districts.
- (b) **Use Types Permitted:** The following use types shall be permitted:
 - (1) Directional signs
 - (2) Identification signs
 - (3) Nameplate
 - (4) Real estate, project signs and signs of a temporary nature
- (c) **Structural Types Permitted:** The following structural types shall be permitted:
 - (1) Identification Signs – permanent Wall/Panel signs
 - (2) Identification Signs – permanent Window signs
 - (3) Identification Signs – permanent Canopy signs
 - (4) Freestanding – permanent Ground/Pylon signs

(5) Freestanding – permanent Directional signs

(d) Maximum Gross Area and Number Permitted: Allowable permanent signs shall conform to the structural type, maximum number and area limitations set forth as follows:

(1) Permanent Signs attached to Buildings shall comply with Table 1284.12(d)(1)

(2) Permanent freestanding ground of pylon signs shall conform with Table 1284.12(d)(2)

(3) A unified complex or parkway consisting of four (4) or more buildings served by a common local access road shall be permitted a supplemental freestanding identification sign at the entry to the development and shall conform with Table 1284.12(d)(2)

Table 1284.12(d)(1) Permanent Signs Attached to Buildings in Town Center / Main Street Districts			
Type	Maximum Number Permitted	Maximum Sign Face Area Allowance	Maximum Area
Namplate	1 per address	Not Applicable	2 square feet (a)
Wall or Panel Sign	1 per building or 1 per each tenant (b)	1-1/4 square feet for each linear foot of building frontage	75 square feet
Window	Not Applicable	Not Applicable	15% or less of the window area
Canopy or Awning Sign	Not Applicable	10 square feet per awning/canopy face	Not Applicable
(a) Area of nameplate sign can be reasonably modified by the Building Commissioner due to sight lines or visibility. (b) Buildings that require identification at entrances may be permitted up to 1 additional wall or panel sign but must keep within the square footage allowance for the building.			

Table 1284.12(d)(2) Freestanding Ground, Pylon or Directional Signs in Town Center / Main Street Districts				
Type	Maximum Number Permitted	Maximum Sign Face Area Allowance	Maximum Height	Maximum Setback
Ground Sign (a)(c)(d)	1	32 square feet per side	5 feet	25 feet to the edge of the street or pavement (d)
Pylon Sign (b)(c)(d)	1 per each street frontage containing a vehicular access.	70 square feet per side	10 feet	25 feet to the edge of the street or pavement (d)
Directional Signs (e)(f)(g)	2 per driveway	4 square feet	6 feet	10 feet from public right-of-way

(a) Permitted information: The name and address of the facility and the name(s) of the tenants.
 (b) Permitted information: A unified commercial or office complex under a common ownership exceeding 100,000 square feet in gross floor area shall be permitted a pylon sign. The contents of the sign shall be limited to the name of the unified commercial or office complex. Individual store or business signage shall not be permitted on a pylon sign and shall be limited to business signage attached to the building or unit thereof proposed.
 (c) A unified complex or parkway is allowed 1 sign, either a ground or Pylon Sign.
 (d) Signs shall be located no less than 100 feet from any adjacent Residential District. The distance to Residential District can be modified to 50 feet by the Building Commission for lot widths consisting of less than 200 feet.
 (e) Permitted information: indicates direction to specific buildings within the complex as well as ingress and egress routes.
 (f) Letter heights for directional shall be at least 2-1/2 inches.
 (g) Additional Directional Signs may be permitted at the discretion of the Building Commissioner to provide for additional pedestrian and vehicular traffic.

(e) Multiple business signs: i.e. signs identifying stores and services located within the same building and/or complex

(1) Shall be designed in such a manner that their appearance will be harmonious and compatible in character regarding their method of construction, materials, color illumination and combined size so as to achieve an overall unified effect.

(2) Within a commercial area or development, where multiple storefronts are situated side by side, the level of variety or cohesiveness in the design of the signs should be commensurate with the architecture of the building:

(3) Variety in the design of signs among different storefronts should be encouraged when the architecture of the buildings suggests variety.

(4) Storefronts with common architectural elements should have signs that share continuity of design so that the design and placement of individual signs contribute to the cohesive appearance created by the common architectural elements.

(5) Franchise standard signage located within TCD-1 through TCD-5 may be required to be modified for aesthetic reasons at the discretion of the Building Commissioner.

(f) Special Sign District: (to include oversized ground or wall signs), for purposes of creating an integrated sign theme, may be established by ordinance in response to a petition by a majority of sign users within a Town Center/Main Street District. The sign theme must not violate safety standards of the Building and Housing Code of the City and/or other requirements of this Zoning Code (with the exception of size requirements). A detailed plan should be submitted in accordance with the provisions of Sections 1276.13 and 1276.14 for approval. Upon approval, a two-thirds affirmative vote by Council is required to establish a Special Sign District.

(g) Nonresidential developments: proposed in TCD-4 and TCD-5 Sub districts shall submit a sign plan along with the proposed development plan which shall have to be approved by the Planning Commission.