

**ORDINANCE NO. 2015-91
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING A CONTRACT WITH THE
CUYAHOGA COUNTY GENERAL HEALTH DISTRICT FOR
THE PUBLIC HEALTH SERVICES TO BE RENDERED
DURING THE YEAR 2016, AUTHORIZING THE FISCAL
OFFICER TO CREDIT THE CONSIDERATION PAYABLE
UNDER SAID CONTRACT AND TO DEDUCT EQUIVALENT
SUMS FROM TAX SETTLEMENTS DUE THE CITY OF
LYNDHURST AND DECLARING AN EMERGENCY**

WHEREAS, the Cuyahoga County General Health District performs essential health services for all communities of Cuyahoga County, including the City of Lyndhurst, Ohio; and

WHEREAS, the cost of such services is paid by all participating subdivisions on a per capita basis, based on current population estimates. Now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST,
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. The Mayor is hereby authorized and directed to enter into a contract for public health services with the Cuyahoga County General Health District for the calendar year 2016, a copy of said contract being attached hereto, marked Exhibit "A", and incorporated herein as if fully rewritten.

SECTION 2. The Fiscal Officer of Cuyahoga County is hereby directed to credit the District Health Fund of Cuyahoga County the sum of Fifty-Four Thousand Eight Hundred Eighty-Four Dollars (\$54,884.00) by deducting said amount from regular tax settlements to be made for the City of Lyndhurst during the year 2016 in two (2) semi-annual installments of Twenty-Seven Thousand Four Hundred Forty-Two Dollars (\$27,442.00).

SECTION 3. The Clerk of Council is hereby authorized and directed to certify a copy of this Ordinance to the Cuyahoga County Fiscal Officer immediately upon its passage.

SECTION 4. This Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council, and that deliberations of this Council and its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Lyndhurst and its residents for the reason that it is necessary to authorize and implement this contract as soon as possible. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: _____

MAYOR

VICE-MAYOR

ATTEST: _____

Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on _____ and _____.

Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

Proposed

**RESOLUTION NO. 2015-92
INTRODUCED BY: ADMINISTRATION**

A RESOLUTION STATING THE INTENT OF THE CITY TO CONCUR WITH THE REQUEST OF THE OHIO DEPARTMENT OF TRANSPORTATION TO COMBINE THE LYNDHURST SAFE ROUTES TO SCHOOLS PROJECT WITH THE SOUTH EUCLID SAFE ROUTES TO SCHOOLS PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, Resolution No. 2013-6, adopted February 4, 2013, authorized the Mayor to prepare, execute, and submit an application for Safe Routes to Schools Project funds, to accept said funds if awarded, and to maintain the Project when completed; and

WHEREAS, the Ohio Department of Transportation has requested that the Lyndhurst Safe Routes to Schools Project be combined with the South Euclid Project; and

WHEREAS, the combined construction contract will be sold and administered by the Ohio Department of Transportation; and

WHEREAS, it is necessary that Lyndhurst concur with such combined construction contract. Now, therefore,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNDHURST, COUNTY OF CUYAHOGA, STATE OF OHIO, THAT:

SECTION 1. The City of Lyndhurst concurs with the request by the Ohio Department of Transportation to combine the Lyndhurst Safe Routes to Schools Project with the South Euclid Safe Routes to Schools Project, as set out in a letter from the Ohio Department of Transportation dated August 27, 2015, a copy of which is attached hereto and made a part hereof as Exhibit A.

SECTION 2. The Mayor is hereby authorized to enter into a contract reflecting such revised project scope.

SECTION 3. This Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council, and that deliberations of this Council and its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety of the City of Lyndhurst and its residents because it is necessary to meet the deadlines set by the Ohio Department of Transportation. Therefore this Resolution shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: _____

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on _____ and _____.

Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

Proposed

ORDINANCE NO. 2015-93
INTRODUCED BY: COUNCIL MEMBER PATRICK A. WARD

**AN ORDINANCE PLACING A TEMPORARY
MORATORIUM ON THE GRANTING OF ANY
PERMITS FOR FENCES IN EXCESS OF FOUR (4)
FEET IN HEIGHT IN THE CITY, AND DECLARING
AN EMERGENCY**

WHEREAS, Council wishes to review the City's Codified Ordinances with regard to the construction of fences in excess of four (4) feet in height in the City; and

WHEREAS, in order to permit such review, and to avoid potential litigation if permits are requested in the City in accordance with the Codified Ordinances, Council desires to withhold, for a temporary period of time, the issuance of any permit to businesses or individuals allowing for fences in excess of four (4) feet in height while it undertakes a review of the Ordinances of the City; and

WHEREAS, this Council will be able to enact reasonable regulations to protect the health, welfare and safety of the citizens of the City of Lyndhurst more effectively if a moratorium is in place. Now, therefore

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST,
CUYAHOGA COUNTY, STATE OF OHIO, THAT:**

SECTION 1. Council hereby places a temporary moratorium until May 1, 2016, regarding the granting of any permits allowing fences in excess of four (4) feet in height in the City of Lyndhurst, unless the fence is between a residentially zoned property and a property in a different zoning classification.

SECTION 2. The Building Department is hereby directed to refrain from granting any permit for a fence in excess of four (4) feet in height in the City during the effective period stated herein.

SECTION 3. The Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of Lyndhurst for the reason that it is necessary to impose this moratorium immediately so as not to mislead any potential permit applicants. It shall therefore take effect immediately upon passage by the affirmative vote of not less than five (5) members elected to Council and approval by the Mayor or otherwise at the earliest time allowed by law.

PASSED: _____

MAYOR

VICE MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Ordinance by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City on _____ and _____.

Clerk of Council

First Reading: _____

Second Reading: _____

Third Reading: _____

Proposed

**ORDINANCE NO: 2015-94
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO ADVERTISE FOR BIDS FOR THE SALE BY NEWSPAPER PUBLICATION OR BY INTERNET AUCTION OF FOUR SURPLUS MOTOR VEHICLES, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE HIGHEST BIDDER FOR SUCH MOTOR VEHICLES AND DECLARING AN EMERGENCY

WHEREAS, pursuant to Section 721.15 of the Ohio Revised Code, personal property not needed for municipal purposes, the estimated value of which exceeds One Thousand Dollars (\$1,000.00), shall be sold by the City pursuant to Ordinance, and with approval of the Director having supervision or management of such property, by written contract with the highest and best bidder after advertisement for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the municipal corporation; and

WHEREAS, that Section also provides that such personal property may, at the discretion of the legislative authority, be sold by internet auction; and

WHEREAS, Council is desirous of selling four surplus vehicles to the highest and best bidder. Now, therefore,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF LYNDHURST, CUYAHOGA COUNTY, STATE OF OHIO:

SECTION 1. That the Clerk of Council is hereby authorized to advertise for bid for the sale of the following vehicles:

#	YEAR	Description	VIN	Reserve Bid
1	2009	FORD Crown Victoria	2FAHP71V99X124628	\$1,850.00
2	2011	FORD Crown Victoria	2FABP7BVXB169104	\$5,000.00
3	2011	FORD Crown Victoria	2FABP7BV1BX169105	\$5,000.00
4	2011	FORD Crown Victoria	2FABP7BV3BX169106	\$5,000.00

for not less than two nor more than four consecutive weeks in a newspaper of general circulation within the City, and all actions taken by the Clerk of Council to so advertise are hereby ratified.

SECTION 2. That the Clerk may, at her discretion, sell the vehicles described in Section 1 hereof by internet auction by permitting bidding for not less than ten (10) consecutive calendar days, provided notice of this procedure is published in a newspaper of general circulation within the City in accordance with Section 721.15 and 7.16 of the Ohio Revised Code. The minimum bid for each shall be as stated in Section 1, above.

SECTION 3. That notice of this sale and the required procedure shall be published in a designated place in the City as well as on the City's website.

SECTION 4. That the Mayor is hereby authorized to enter into a written contract with the highest and best bidder for the items of personal property set forth in Section 1 after approval by the Director having supervision or management of such personal property, provided the minimum bid amounts specified in Section 1, above, have been reached.

SECTION 5. That the Council finds and determines that all formal actions of this Council relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. 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 City of Lyndhurst and its residents for the reason that it is necessary for the efficient operation of the City's business to advertise for the sale of the aforesaid property according to law and to consummate such sale as soon as possible and without delay. Therefore, this Ordinance shall take effect immediately upon the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise at the earliest time allowed by law.

PASSED: October 19, 2015

MAYOR

VICE-MAYOR

ATTEST: _____
Clerk of Council

I, the undersigned Clerk of Council of the City of Lyndhurst, hereby certify that there is no newspaper published or having an office of publication in said City, and that I published the foregoing Resolution by advertising the same by title on one day in each of two consecutive weeks in a newspaper of general circulation in said City, on October 29, 2015 and November 5, 2015.

Clerk of Council

First Reading: October 19, 2015

Second Reading: Suspended

Third Reading: Suspended