

**ORDINANCE NO. 2019-16
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING SECTION 957.02 OF THE
CODIFIED ORDINANCES REGARDING SWIMMING
POOL ADMISSION FEES FOR 2019, AND DECLARING
AN EMERGENCY**

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

SECTION 1. That Section 957.02 of the Codified Ordinances of the City of Lyndhurst is hereby amended to read as follows (new material appears like THIS, deleted materials appear like ~~this~~):

957.02 ADMISSION FEES; SEASON PASSES; AND SPECIAL PROGRAMS (a) Single full access season swim passes to both Lyndhurst Pool and Brainard Sprayground for residents of the City of Lyndhurst for each season commencing with the swimming season ~~2018~~ 2019 shall be Sixty-Five Dollars (\$65.00) each with a maximum cost of One Hundred Eighty Dollars (\$180.00) per "Family" living in the same household. No additional charge will be made for passes purchased after pool opening. Passes shall be issued in the name of a specific person and be non-transferable.

Season passes shall not be sold to any child under the age of four (4) unless such child will be four (4) by the end of the third learn to swim session. All children under the age of four (4) will be admitted free but must be accompanied by an adult who has a season pass or pays admission or by a related or non-related young adult fourteen (14) years to seventeen (17) years of age, with a note or request signed by the parent or guardian. In the interest of safety, children under the age of ~~eight (8)~~ ELEVEN (11) must be accompanied by an adult or young adult at all times. Each child must use either the baby pool or the large pool but must be accompanied as provided herein.

"Family", as used in this section, means the members of a household living as a single housekeeping unit in a dwelling unit who are related to the nominal head of the household or to the spouse of the nominal head of the household, and includes:

- (1) Husband or wife of the nominal head of the household.
- (2) Unmarried children (23 years or under) of the nominal head of the household or of the spouse of the nominal head of the household provided, however, that such unmarried children have no children residing with them.

Upon presenting proper identification, non-residents may purchase an individual pass for \$100.00 with a family cost of \$365.00 per family living in the same household. This provision regarding non-resident admissions may be modified or eliminated permanently or temporarily by the Mayor, upon the advice of the Pool Director.

(b) Single admission pool fee for Lyndhurst residents shall be Five Dollars (\$5.00) per person: Guests shall sign their names into a registration book provided for guests. Single admission fees for non-residents shall be Seven Dollars (\$7.00) per person.

Single admission Brainard Sprayground fee for Lyndhurst residents shall be three dollars (\$3.00) per person. Guests shall sign their name into a registration book provided for guests. Single admission fees for non-residents shall be six dollars (\$6.00) per person.

Any provision regarding non-resident admissions may be modified or eliminated permanently or temporarily by the Mayor, upon the advice of the Pool Director.

The regular season shall begin in June, as determined by the City, and continue through Labor Day.

(c) Regular season pass holders who are residents of the City of Lyndhurst may participate in the Learn-To-Swim program by purchasing a Learn-To-Swim pass for Twenty Dollars (\$20.00) per individual Learn-To-Swim course based on two and one-half (2-1/2) week sessions. The fee for the Learn-to-Swim Pass will be waived for any season pass holder who is considered as disabled pursuant to the guidelines of the Federal Americans with Disabilities Act of 1990. Swim team fee shall be ~~Forty-five Dollars (\$45.00)~~ Sixty Dollars (\$60.00) per child per season paid to the City.

Pool employees required to pay for lifeguard training shall be reimbursed up to Two Hundred Dollars (\$200.00) (which includes the Red Cross Fees) per person.

Adult Baby Water Adjustment training for children, ages six months thru three years, is authorized at the rate of Twenty Dollars (\$20.00) for each two and one half week session. A season pass is required of the parent who must accompany the child. No pass or admission fee is required of the child.

(d) Private parties hosted by a Lyndhurst resident at the Lyndhurst Pool or Brainard Sprayground will be authorized during the hours of 8:30 p.m. to 10:30 p.m. on Friday or Saturday and 6:30 p.m. to 8:30 p.m. on Sundays unless otherwise authorized by the Pool Director. A charge of One Hundred Fifty Dollars (\$150.00) for Brainard Sprayground and Two Hundred Sixty Dollars (\$260.00) for Lyndhurst pool for up to one hundred fifty (150) people is hereby established. Parties for over one hundred fifty (150) people may be allowed upon approval of the Pool Director and Mayor; additional fees may apply. If the Lyndhurst Pool or Brainard Sprayground is closed due to rain or cold weather on the scheduled pool party date, another date may be selected or a refund given at the discretion of the Mayor. Additional swimming times for pool personnel and private parties shall be permitted during such times after regular hours as permitted by the Mayor and Pool Director.

A deposit of Fifty Dollars (\$50.00) shall be required for each private party to reserve availability of the pool. If the private party is cancelled without selecting another date, the deposit will be forfeited. If another date is selected, and said date is acceptable to the City, the deposit will be transferred to cover the second date. After the private party, the deposit will also be applied against the cost of repairing any damage caused by persons attending said party. In the event of damage, the Fifty Dollar (\$50.00) deposit will be applied to the payment of the cost of repairs, and any unused portion will be refunded. In addition, said deposit may be forfeited in increments of Twenty-Five Dollars (\$25.00) for each 15 minutes, or part thereof, that a party exceeds the established ending time for use of the facilities. No more than three hundred (300) people shall be permitted at a private party.

All regulations currently in effect and as required by Ordinance for the use of the pools are applicable to private parties except that food and non-alcoholic beverages may be brought upon the premises for such parties in compliance with rules and regulations to be promulgated by the Lyndhurst Pool Director. Such rules and regulations shall not be effective until approved by motion of Council. A person twenty-one (21) years of age or older shall be present at the private party and responsible for the conduct of persons present and any damages to property.

(e) A free swimming pass shall be issued to Lyndhurst residents sixty (60) years of age or older. Appropriate identification shall be required of the residency of

such applicant, and the pass issued to such person shall not be transferable.

City employees, upon presentation of City employee identification, shall be issued a pool pass free of charge.

(f) There shall be a charge of Five Dollars (\$5.00) for replacement of a lost pass.

(g) Refunds for any reason of any fees or charges imposed by this Ordinance may be made at the discretion of the Mayor.

(h) A free single swimming pass and a free caregiver pass shall be issued to an individual with a disability. "Disabled" shall be defined in accordance with the Federal Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.).

(I) Section 955.01(b) of the Codified Ordinances regarding intoxicating beverages shall be strictly enforced at the pool and spraypark.

SECTION 2. 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 3. 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 the admission fees must be published to the citizens of Lyndhurst as soon as possible. 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: _____

ORDINANCE NO. 2019-17
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE PROVIDING FOR COMPENSATION FOR
SWIMMING POOL PERSONNEL IN 2019 AND REPEALING
ORDINANCE NO. 2018-19**

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

SECTION 1. The provisions of Ordinance No. 2018-19 are hereby repealed.

SECTION 2. There are hereby established the following personnel categories and salaries for swimming pool operations:

All employees and personnel required to operate the swimming pools shall be employees of the City of Lyndhurst, shall consist of the following, and shall receive the compensation payable bi-weekly commencing with the swimming season of 2019, in the amount set opposite each job classification as follows, to wit:

Pool Director - salary per annum shall be within a range of \$8000 - \$14,200. Payment shall be made during the period of active service as determined by the Mayor.

Hourly Rates	Base	2 nd Year	3 rd Year	4 th Year	5 th Year	6 th Year & After
Non certified Employee	\$ 8.55	\$ 8.60	\$ 8.65	\$ 8.70	\$ 8.75	\$ 8.80
Life Guarding	\$ 8.75	\$ 8.85	\$ 8.95	\$ 9.05	\$ 9.15	\$ 9.25
Water Safety Instructor	\$ 9.10	\$ 9.30	\$ 9.50	\$ 9.70	\$ 9.90	\$ 10.10
Life Guarding Instructor	\$ 9.45	\$ 9.65	\$ 9.85	\$ 10.05	\$ 10.25	\$ 10.45
Pool Supervisor	\$ 9.70	\$ 10.30	\$ 10.90	\$ 11.50	\$ 12.10	\$ 12.70

After the base year an employee must work a minimum of 150 hours in order to achieve the seniority acquired to advance in years on the pay schedule. The minimum number of hours may be accumulated over a period of more than one year, however, no more than one year's seniority may be earned in any one year.

Upon recommendation of the Pool Director and the approval of the Mayor, employees may be paid at a rate in accordance with their experience instead of years of employment in Lyndhurst. Further, upon recommendation of the Pool Director, and approval by the Mayor, "training expenses" or additional training required in order to maintain certification will be reimbursed to the employee for one class up to a maximum of Two Hundred Dollars (\$200.00) per year.

SECTION 2. 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 3. This Ordinance shall be in full force and effect from and after the earliest period 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. 2019-18
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION ESTABLISHING THE TERMS OF
RECIPROCITY WITH THE CITY OF SOUTH
EUCLID DURING THE 2019 POOL SEASON**

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

SECTION 1. Conditioned on reciprocity rights being granted by the City of South Euclid to Lyndhurst residents who are season swimming pass holders, South Euclid residents who are swimming pass holders of that City will be permitted the use of the Lyndhurst swimming pool during open swim season only, and the use of the Lyndhurst Spraypark at all times it is open. In the case where the cost of a Lyndhurst season swimming pass exceeds the cost of a South Euclid season swimming pass, the South Euclid season swimming pass holder may access the Lyndhurst facilities on a seasonal basis by paying to the City of Lyndhurst Twenty Dollars (\$20.00) for a single pass and Sixty Dollars (\$60.00) for a family pass, and receiving a Lyndhurst photo identification to be shown for entry to Lyndhurst pool facilities.

SECTION 2. 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 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 3. This Resolution shall be in full force and effect from and after the earliest period 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: _____

ORDINANCE NO: 2019-19
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE APPROVING THE SOLID WASTE
MANAGEMENT PLAN UPDATE (2019-2033) IN THE CITY OF
LYNDHURST FOR THE CUYAHOGA COUNTY SOLID
WASTE MANAGEMENT DISTRICT**

WHEREAS, the City of Lyndhurst is located within the jurisdiction of the Cuyahoga County Solid Waste Management District (District); and

WHEREAS, the Cuyahoga County Solid Waste Management District Policy Committee prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53, 3734.54 and 3734.55; and

WHEREAS, the District provided a copy of the Cuyahoga County Solid Waste Management Plan Update (2013-2028) for ratification to each of the legislative authorities of the District; and

WHEREAS, the City of Lyndhurst must decide whether it approves of said Solid Waste Management Plan Update (2019-2033) no later than April 11, 2019. Now therefore,

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

SECTION 1. The City of Lyndhurst approves the Cuyahoga County Solid Waste Management Plan Update (2019-2033).

SECTION 2. The Clerk of Council is hereby directed to send a certified copy of this Ordinance to the District to the attention of Diane T. Bickett, Executive Director, Cuyahoga County Solid Waste Management District, 4750 East 131 Street, Garfield Heights, Ohio 44105.

SECTION 3. The Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Ordinance have been taken at open meetings of this Council; and that all deliberations of this Council and any of its committees that resulted in such formal action, took place in meetings open to the public, in full compliance with all legal requirements, including without limitation, those set forth in Section 121.22 of the Ohio Revised Code.

SECTION 4. This Ordinance shall take effect 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: _____

ORDINANCE NO. 2019-20
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH A&S ANIMAL CONTROL, INC. TO PROVIDE FOR ANIMAL CONTROL SERVICES IN THE CITY OF LYNDHURST, AND DECLARING AN EMERGENCY

WHEREAS, Lyndhurst has an ongoing need for animal control services within the City's borders; and

WHEREAS, Ordinance No. 2017-34 authorized the Mayor to enter into an agreement with A&S Animal Control, Inc., as Animal Warden in the City; and

WHEREAS, it is necessary to enter into an agreement with A&S Animal Control, Inc. to continue to provide animal control services. Now, therefore

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

SECTION 1. This Council hereby authorizes the Mayor to enter into an agreement with A&S Animal Control, Inc., in a form to be approved by the Law Director, providing for animal control services in the City of Lyndhurst for the period beginning April 1, 2019 and ending March 31, 2021.

SECTION 2. The cost for such animal control services will be Twenty-Five Thousand Two Hundred Dollars (\$25,200.00) for each year.

SECTION 3. This Council hereby directs the Law Director of the City of Lyndhurst to include such other provisions in the Agreement as he determines are necessary and consistent with this Ordinance, including a statement regarding retroactivity.

SECTION 4. 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 5. 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, and consequently placing the Ordinance into immediate effect is necessary. 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

RESOLUTION NO. 2019-21
INTRODUCED BY: ADMINISTRATION

**A RESOLUTION AUTHORIZING THE MAYOR TO
IMPLEMENT DENTAL AND LIFE INSURANCE
COVERAGE FOR THE EMPLOYEES OF THE CITY AND
DECLARING AN EMERGENCY**

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

SECTION 1. The Mayor is hereby authorized and directed to implement a dental insurance plan for eligible employees of the City with TruAssure at the monthly rate of Twenty-Five Dollars and Eighty Seven Cents (\$25.87) per employee and Seventy-Eight Dollars and Fifty Two Cents (\$78.52) per family effective March 1, 2018.

SECTION 2. The Mayor is hereby authorized and directed to implement a life insurance plan for eligible employees with One America at a rate of Thirteen Cents (\$.13) per \$1,000 for life insurance and Two Cents (\$.02) per \$1,000 for accidental death and dismemberment coverage to a maximum benefit of Two Hundred Thousand (\$200,000) dollars effective March 1, 2019.

SECTION 3. The rates specified above for dental coverage are for a twenty-four-month period beginning March 1, 2018. The rates specified above for life and accidental death coverage are for a twenty-four-month period beginning March 1, 2019. Should it become necessary to extend these coverages beyond the aforesaid period, Council shall approve any extension and any increase in the stated rates, if applicable.

SECTION 4. 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 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 5. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the health, safety and welfare of the residents of the City for the reason that it is necessary to implement the aforesaid insurance coverages for the employees of the City so that the same are effective as of March 1, 2019. Therefore this Resolution shall take effect immediately upon the affirmative vote of not less than five 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: _____