

**ORDINANCE NO. 2019-47
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE ADOPTING THE 2020 TAX BUDGET AND
DECLARING AN EMERGENCY**

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

SECTION 1. The tax budget for the City of Lyndhurst for the calendar year beginning January 1, 2020 in the form attached hereto and made a part hereof as Exhibit A, filed with the Council, be and hereby is adopted as the official tax budget of the City of Lyndhurst for the calendar year commencing January 1, 2020.

SECTION 2. The Director of Finance is hereby authorized to certify a copy of said tax budget and forward a certified copy of this Ordinance to the Fiscal Officer of Cuyahoga County.

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

SECTION 4. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Lyndhurst, such reason being this Ordinance must be enacted prior to July 20, 2019 in accordance with budgetary law. It shall therefore become effective upon its passage by the affirmative vote of not less than five (5) members of 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. 2019-48
Introduced By: Administration

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES
AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST
FOR THE PERIOD ENDING DECEMBER 31, 2019
REPEALING ORDINANCE NO. 2019-39
AND DECLARING AN EMERGENCY**

**NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF
LYNDHURST, STATE OF OHIO:**

Section 1. That to provide for the current expenses and other expenditures of the City of Lyndhurst for the period beginning January 1, 2019 and ending December 31, 2019, the following sums be appropriated as set forth in the following sections.

Section 2. That there be appropriated from the **General Fund** the following:

SECURITY OF PERSONS AND PROPERTY

1111 POLICE

Salaries & Wages	\$3,360,146	
Other Expenses	\$805,026	\$4,165,172

1114 ANIMAL CONTROL

Salaries & Wages	\$0	
Other Expenses	\$35,500	\$35,500

1116 SPO & AUXILIARY

Salaries & Wages	\$62,500	
Other Expenses	\$15,338	\$77,838

1118 PARKS & SCHOOL SECURITY

Salaries & Wages	\$8,085	
Other Expenses	\$1,499	\$9,584

1121 COMMUNICATIONS

Salaries & Wages	\$466,407	
Other Expenses	\$147,245	\$613,652

1131 FIRE DEPARTMENT

Salaries & Wages	\$2,607,651	
Other Expenses	\$704,359	\$3,312,010

<i>TOTAL SECURITY OF PERSONS AND PROPERTY</i>		<i>\$8,213,756</i>
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PUBLIC HEALTH AND WELFARE

2211 COUNTY HEALTH DEPARTMENT

Other Expenses	\$66,365	\$66,365
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<i>TOTAL PUBLIC HEALTH AND WELFARE</i>		<i>\$66,365</i>
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COMMUNITY ENVIRONMENT

3311 PLANNING COMMISSION

Salaries & Wages	\$7,200	
Other Expenses	\$5,262	\$12,462

3313 BOARD OF ZONING APPEALS

Salaries & Wages	\$10,750	
Other Expenses	\$1,986	\$12,736

3315 ARCHITECTURAL BOARD OF REVIEW

Salaries & Wages	\$6,450	
Other Expenses	\$1,072	\$7,522

3323 BUILDING DEPARTMENT

Salaries & Wages	\$325,485	
Other Expenses	\$201,544	<u>\$527,029</u>

TOTAL COMMUNITY ENVIRONMENT \$559,749

LEISURE TIME ACTIVITIES

4419 PARKS

Salaries & Wages	\$164,346	
Other Expenses	\$71,699	\$236,045

4421 BRAINARD SPRAYGROUND

Salaries & Wages	\$51,450	
Other Expenses	\$44,272	\$95,722

4422 LYNDHURST POOL

Salaries & Wages	\$193,547	
Other Expenses	\$136,208	\$329,755

4433 HOME DAYS

Other Expenses	\$15,000	\$15,000
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4435 HOLIDAY LIGHTING

Other Expenses	\$2,000	\$2,000
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4437 PUBLIC ASSIST

Other Expenses	\$155,242	<u>\$155,242</u>
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TOTAL LEISURE TIME ACTIVITIES \$833,764

BASIC UTILITIES

5561 REFUSE COLLECTION AND DISPOSAL

Salaries & Wages	\$242,785	
Other Expenses	\$486,531	\$729,316

5563 RECYCLING

Salaries & Wages	\$153,375	
Other Expenses	\$98,466	\$251,841

5565 LEAVES

Salaries & Wages	\$96,450	
Other Expenses	\$59,770	\$156,220

5567 TREES

Salaries & Wages	\$95,484	
Other Expenses	\$102,163	<u>\$197,647</u>

TOTAL BASIC UTILITIES \$1,335,024

GENERAL GOVERNMENT

7711 MAYOR

Salaries & Wages	\$160,242	
Other Expenses	\$86,357	\$246,599

7712 INCOME TAX ADMINISTRATION

Other Expenses	\$376,000	\$376,000
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7713 FINANCE DEPARTMENT

Salaries & Wages	\$375,247	
Other Expenses	\$164,966	\$540,213

7714 LAW DEPARTMENT

Salaries & Wages	\$88,000	
Other Expenses	\$123,846	\$211,846

7715 SERVICE DEPARTMENT

Salaries & Wages	\$356,413	
Other Expenses	\$173,156	\$529,569

7717 CIVIL SERVICE COMMISSION

Salaries & Wages	\$7,500	
Other Expenses	\$44,434	\$51,934

7721 COUNCIL

Salaries & Wages	\$96,440	
Other Expenses	\$50,450	\$146,890

7731 MUNICIPAL COURT

Salaries & Wages	\$794,640	
Other Expenses	\$430,057	\$1,224,697

7741 GENERAL ADMINISTRATION

Other Expenses	\$405,265	\$405,265
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7742 PUBLIC LANDS & BUILDINGS

Salaries & Wages	\$88,910	
Other Expenses	\$408,527	\$497,437

7744 STATUTORY

Other Expenses	\$359,250	\$359,250
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7746 ENGINEERING

Salaries & Wages	\$19,300	
Other Expenses	\$18,482	\$37,782

7761 UNCLAIMED

Other Expenses	\$5,000	<u>\$5,000</u>
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TOTAL GENERAL GOVERNMENT \$4,632,482

TOTAL OPERATIONS \$15,641,140

INTERFUND TRANSFERS & ADVANCES

to Police Pension Fund	\$438,918	
to Fire Pension Fund	\$450,850	
to LV Perm Improv Tax Inc Fund	\$810,694	
to Permanent Improv Fund	\$645,000	
to Sewer Maintenance Fund	\$0	
to Sewer Construction Fund	\$0	
to Community Center Fund	\$265,000	
to Petty Cash Fund	<u>\$0</u>	

TOTAL INTERFUND TRANSFERS AND ADVANCES \$2,610,462

GRAND TOTAL GENERAL FUND ***\$18,251,602***

Section 3. That there be appropriated from the **Special Revenue Fund Class** the following:

<u>210 STATE HIGHWAY FUND</u>			
Other Expenses	\$50,000	\$50,000	
TOTAL STATE HIGHWAY FUND			\$50,000
<u>220 COURT PROBATION SERVICES</u>			
Salaries & Wages	\$26,778		
Other Expenses	\$10,037	\$36,815	
TOTAL COURT PROBATION SERVICES			\$36,815
<u>230 COURT SPECIAL PROJECTS FUND</u>			
Salaries & Wages	\$129,395		
Other Expenses	\$393,142	\$522,537	
<u>231 COURT SPECIAL PROJECTS IDIAM FUND</u>			
Other Expenses	\$21,000	\$21,000	
TOTAL COURT SPECIAL PROJECTS FUND			\$543,537
<u>240 STREET CONSTRUCTION, MAINT. & REPAIR FUND</u>			
<u>1141 TRAFFIC SAFETY</u>			
Salaries & Wages	\$68,776		
Other Expenses	\$117,876	\$186,652	
<u>5552 STORM SEWERS</u>			
Salaries & Wages	\$38,000		
Other Expenses	\$28,471	\$66,471	
<u>6611 STREETS</u>			
Salaries & Wages	\$187,555		
Other Expenses	\$174,003	\$361,558	
<u>6621 SNOW REMOVAL</u>			
Salaries & Wages	\$122,000		
Other Expenses	\$272,358	\$394,358	
TOTAL STREET CONSTRUCTION, MAINT & REPAIR FUND			\$1,009,039
<u>250 COMMUNITY CENTER FUND</u>			
Salaries & Wages	\$161,024		
Other Expenses	\$130,940	\$291,964	
TOTAL COMMUNITY CENTER FUND			\$291,964
<u>260 COURT EDP FUND</u>			
Salaries & Wages	\$0		
Other Expenses	\$350,000	\$350,000	
TOTAL COURT EDP FUND			\$350,000
<u>280 DUI/INDIGENT FUND</u>			
Other Expenses	\$50,000	\$50,000	
TOTAL DUI/INDIGENT FUND			\$50,000
<u>290 LAW ENFORCEMENT FUND</u>			
Other Expenses	\$11,000	\$11,000	
TOTAL LAW ENFORCEMENT FUND			\$11,000
<u>291 LAW ENFORCEMENT ESA FUND</u>			
Other Expenses	\$16,000	\$16,000	
TOTAL LAW ENFORCEMENT ESA FUND			\$16,000
<i>TOTAL SPECIAL REVENUE FUNDS</i>			\$2,358,355

Section 4. That there be appropriated from the **Debt Service Fund Class** the following:

310 GENERAL BOND RETIREMENT FUND

Other Expenses \$1,245,526 \$1,245,526

INTERFUND TRANSFERS & ADVANCES

to Capital Reserve Fund \$5,543,700 \$5,543,700

TOTAL GENERAL BOND RETIREMENT FUND \$6,789,226

320 LV PUBLIC IMPROVEMENT FUND

Other Expenses \$419,194 \$419,194

TOTAL GENERAL LV PUBLIC IMPROV FUND \$419,194

TOTAL DEBT SERVICE FUNDS \$7,208,420

Section 5. That there be appropriated from the **Capital Projects Fund Class** the following:

410 PERMANENT IMPROVEMENT FUND

Capital Outlay \$1,297,513 \$1,297,513

TOTAL PERMANENT IMPROVEMENT FUND \$1,297,513

440 PARKS & RECREATION EQUIPMENT

Capital Outlay \$0 \$0

TOTAL PARKS & RECREATION EQUIPMENT FUND \$0

450 STREET IMPROVEMENT FUND

Capital Outlay \$1,342,900 \$1,342,900

TOTAL STREET IMPROVEMENT FUND \$1,342,900

470 CAPITAL RESERVE FUND

Capital Outlay \$6,270,300 \$6,270,300

TOTAL CAPITAL RESERVE FUND \$6,270,300

TOTAL CAPITAL PROJECTS FUNDS \$8,910,713

Section 6. That there be appropriated from the **Special Assessment Funds** the following:

810 STREET LIGHTING FUND

Other Expenses \$229,750 \$229,750

TOTAL STREET LIGHTING FUND \$229,750

820 SEWER MAINTENANCE & REPAIR FUND

Salaries & Wages \$247,856
Other Expenses \$112,340
Capital Outlay \$381,500 \$741,696

TOTAL SEWER MAINTENANCE & REPAIR FUND \$741,696

830 SIDEWALK FUND

Other Expenses \$145,125 \$145,125

TOTAL SIDEWALK FUND \$145,125

840 SEWER CONSTRUCTION FUND

Other Expenses \$28,500
Capital Outlay \$512,500 \$541,000

TOTAL SEWER CONSTRUCTION FUND \$541,000

850 SHADE TREE FUND

Salaries & Wages	\$52,940		
Other Expenses	\$53,176	\$106,116	
TOTAL SHADE TREE FUND			\$106,116
TOTAL SPECIAL ASSESSMENT FUNDS			\$1,763,687

Section 7. That there be appropriated from the **Trust & Agency Fund Class** the following:

710 OTHER TRUST & AGENCY

Other Expenses	\$165,500	\$165,500	
TOTAL OTHER TRUST & AGENCY FUND			\$165,500

720 POLICE PENSION FUND

Other Expenses	\$560,496	\$560,496	
TOTAL POLICE PENSION FUND			\$560,496

730 FIRE PENSION FUND

Other Expenses	\$595,191	\$595,191	
TOTAL FIRE PENSION FUND			\$595,191

790 PETTY CASH FUND

Other Expenses	\$0	\$0	
TOTAL PETTY CASH FUND			<u>\$0</u>

TOTAL TRUST & AGENCY FUNDS **\$1,321,187**

GRAND TOTAL ALL FUNDS **\$39,813,964**

Section 8. The Director of Finance is hereby authorized to draw her warrant for payment of any of the foregoing appropriations upon receiving the proper certifications and voucher thereof, approved by the Council of the City of Lyndhurst, Ohio or officers authorized by law to approve the same, or by ordinance or resolution of Council to make expenditures, provided that no warrant be drawn or paid for salaries or wages except to persons employed by authority of and in accordance with law or ordinance.

Section 9. REPEAL OF PRIOR ORDINANCES: Any and all ordinances, or parts thereof, inconsistent herewith, and specifically Ordinance No. 2019-39 to the extent it is inconsistent herewith, are hereby repealed; otherwise, any provisions of such Ordinance not inconsistent herewith shall remain in full force and effect.

Section 10. 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 11. This Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health and safety, for further reason that it is necessary to immediately make the appropriations herein in order that the City can properly function and meet its obligations currently. Wherefore, this Ordinance shall take effect immediately upon its passage by the affirmative vote of not less than five (5) members elected to council and approval by the Mayor; otherwise, from and after the earliest time allowed by law.

PASSED: _____

Mayor

ATTEST: _____

Clerk of Council

Vice- Mayor

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. 2019-49
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1
WITH UNITED SURVEY, INC., FOR THE WELLINGTON,
CHEROKEE AND SHAWNEE INFILTRATION AND
INFLOW REDUCTION PROJECT, AUTHORIZING THE
CLOSEOUT OF SAID CONTRACT, AND DECLARING AN
EMERGENCY**

WHEREAS, the City has previously entered into a Contract with United Survey, Inc., for the Wellington, Cherokee and Shawnee Infiltration and Inflow Reduction Project; and

WHEREAS, United Survey, Inc., has successfully completed the Contract; and

WHEREAS, it is necessary to enter into a Change Order as set forth herein in order to initiate and complete the close out procedure. Now, therefore,

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

SECTION 1. The Mayor be and he is hereby authorized to enter into a Change Order Contract with United Survey, Inc., for the credit amount of Forty-Five Thousand Thirty Dollars (\$45,030.00), in addition to the Contract heretofore authorized by the Board of Control of this Council, as and for final reconciliation of Contract quantities of said Contract, all as more fully set forth in Change Order No. 1 dated May 21, 2019, which is fully incorporated herein. The City Engineer has approved the aforesaid Change Order.

SECTION 2. The Director of Finance be and is hereby authorized and directed to credit the amount provided for in Section 1 of this Ordinance upon passage hereof and execution of the Change Order authorized herein and completion of the work.

SECTION 3. This Council determines that the work included in the Contract with United Survey, Inc., has been completed, and the Contract may be closed out, and the retainage released, pursuant to the application and certificate for final payment, the final Contract price, including additions and deletions, being Two Hundred Twenty-Two Thousand Ten Dollars (\$222,010.00). This final payment amount has been approved by the City Engineer.

SECTION 4. The Mayor be and he is hereby authorized to execute all documents necessary to complete the closeout of this Contract in accordance with this Ordinance.

SECTION 5. 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. 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 approve the aforesaid changes so as to not unnecessarily delay the completion of the aforesaid Project. 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: _____

FINAL RESOLUTION

RESOLUTION NO. 2019-50

The following Final Resolution enacted by the City of Lyndhurst, Ohio, hereinafter referred to as the Legislative Authority/Local Public Agency or "LPA", in the matter of the stated described project.

WHEREAS, on the **21st day of January, 2019**, the LPA enacted legislation proposing cooperation with the Director of Transportation for the described project:

The project consists of pavement repairs of Richmond Road (S.R. 175) between River Creek Road to 214 feet north of Oakmont Drive, lying within the City of Lyndhurst; and

WHEREAS, the LPA shall cooperate with the Director of Transportation in the above described project as follows:

The City agrees to assume and bear one hundred percent (100%) of the entire cost of the improvement within the city limits, less the amount of Federal-Aid funds set aside by the Director of Transportation for the financing of this improvement from funds allocated by the Federal Highway Administration, U. S. Department of Transportation.

The share of the cost of the LPA is now estimated in the amount of **Two Hundred Thirty-Eight Thousand Three Hundred Twenty and - - - 00/100 Dollars, (\$238,320.00)**, but said estimated amount is to be adjusted in order that the LPA's ultimate share of said improvement shall correspond with said percentages of actual costs when said actual costs are determined; and

WHEREAS, The Director of Transportation has approved said legislation proposing cooperation and has caused to be made plans and specifications and an estimate of cost and expense for improving the above described highway and has transmitted copies of the same to this legislative authority; and

WHEREAS, The LPA desires the Director of Transportation to proceed with the aforesaid highway improvement.

NOW, THEREFORE, be it resolved:

- I. That the estimated sum, of **Two Hundred Thirty-Eight Thousand Three Hundred Twenty and - - - 00/100 Dollars, (\$238,320.00)** is hereby appropriated for the improvement described above and the fiscal officer is hereby authorized and directed to issue an order on the treasurer for said sum upon the requisition of the Director of Transportation to pay the cost and expense of said improvement. We hereby agree to assume in the first instance, the share of the cost and expense over and above the amount to be paid from **Federal** funds.
- II. That the LPA hereby requests the Director of Transportation to proceed with the aforesaid highway improvement.
- III. That the LPA enter into a contract with the State, and that **Mayor** be, and is hereby authorized to execute said contract, providing for the payment of the LPA the sum of money set forth herein above for improving the described project.
- IV. That the LPA transmit to the Director of Transportation a fully executed copy of this Resolution.

This is to certify that we have compared the foregoing copy of Resolution with the original record thereof, found in the record of the proceedings of the LPA, and which Resolution was duly passed by the LPA on the _____ day of _____, 2_____, and that the same is a true and correct copy of the record of said Resolution and the action of said LPA thereon.

We further certify that said Resolution and the action of said LPA thereon is recorded in the journal of said LPA in Volume _____, at Page _____, and under date of _____, 2_____.

Legislative Authority of the
City of Lyndhurst, Ohio

Mayor

Clerk (Secretary Ex-Officio)

SEAL
(If Applicable)