

**ORDINANCE NO: 2016-24**  
**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 TWO 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 two 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	1997	FORD F8000 Bucket Truck	1FDXF80C7VVA16644	\$17,000.00
2	2000	FORD E450 Sewer Truck	1FDXE45S3YHA28448	\$3,500.00

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: \_\_\_\_\_

\_\_\_\_\_  
**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

**RESOLUTION NO. 2016-27**  
**INTRODUCED BY: MAYOR PATRICK A. WARD**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A STORMWATER MANAGEMENT PROGRAM SERVICE AGREEMENT WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT TO PROVIDE FOR IMPLEMENTATION OF THE REGIONAL STORMWATER MANAGEMENT PROGRAM.**

**WHEREAS**, the Northeast Ohio Regional Sewer District has developed a Stormwater Management Program to manage and control storm water within its service area; and

**WHEREAS**, the Sewer District has prepared a Stormwater Management Program Service Agreement for the purpose of detailing services of the District and its Member Communities under the Regional Stormwater Management Program; and

**WHEREAS**, it is necessary to enter into the Stormwater Management Program Service Agreement with the Sewer District to memorialize the rights, duties, and responsibilities of the Sewer District and the City regarding the performance of the stormwater projects under the Regional Stormwater Management Program. Now, therefore,

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF LYNDHURST, STATE OF OHIO:**

**SECTION 1.** That this Council finds that for the reasons stated in the preamble hereof it is in the best interests of the City to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District for implementation of the Regional Stormwater Management Program.

**SECTION 2.** That this Council hereby authorizes the Mayor to enter into a Stormwater Management Program Service Agreement with the Northeast Ohio Regional Sewer District for implementation of the Regional Stormwater Management Program, in the form attached hereto and made a part hereof as Exhibit A.

**SECTION 3.** That this Council authorizes the Mayor to execute all documents and to do all things necessary to effect the terms and conditions of the Stormwater Management Program Service Agreement with the Sewer District.

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

**SECTION 5.** This Resolution 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: \_\_\_\_\_

Proposed

**ORDINANCE NO. 2016-26**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE CITY OF CLEVELAND HEIGHTS, OHIO FOR THE SALE OF A 1999 MACK REFUSE PACKER TO THAT CITY AND DECLARING AN EMERGENCY**

**WHEREAS**, the City of Lyndhurst owns a 1999 Mack Refuse Packer, VIN# 1M2K195C4XM012969; and

**WHEREAS**, the City is no longer in need of the aforesaid equipment and has no further public use or purpose for said equipment; and

**WHEREAS**, the City has been offered the sum of Seventeen Thousand Dollars (\$17,000.00) by the City of Cleveland Heights to purchase the aforesaid equipment which has an estimated value of about that amount; and

**WHEREAS**, a contract between political subdivisions regarding the sale of equipment to the City of Cleveland Heights is exempt from the competitive bidding requirements by virtue of Section 735.053 of the Ohio Revised Code, and it would be in the best interest of the City to sell said equipment to the City of Cleveland Heights since the City would be receiving fair market value for said equipment without incurring the costs associated with advertising and bidding; and

**WHEREAS**, this Council desires to sell said equipment to the City of Cleveland Heights, Ohio and to authorize the Mayor to consummate said sale. Now, therefore,

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

**SECTION 1.** For the reasons stated in the aforesaid recitals, the Mayor is hereby authorized and directed to sell the 1999 Mack Refuse Packer, VIN# 1M2K195C4XM012969, to the City of Cleveland Heights, Ohio for the sum of Seventeen Thousand Dollars (\$17,000.00), and to execute any and all documents necessary to effectuate said sale.

**SECTION 2.** It is a condition of this sale that the City of Cleveland Heights acknowledge in writing that this sale is “as is”, with no guaranties or warranties, and that the equipment has been inspected and accepted by the City of Cleveland Heights in its current condition.

**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 City of Lyndhurst for the reason that it is necessary to consummate the aforesaid sale immediately and without delay so as to meet the needs of both parties and, further, to obtain the funds for the City at the very earliest opportunity. 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 the Sun Messenger, a newspaper of general circulation in said City, on \_\_\_\_\_ and \_\_\_\_\_.

\_\_\_\_\_  
**Clerk of Council**

First Reading: \_\_\_\_\_

Second Reading: \_\_\_\_\_

Third Reading: \_\_\_\_\_

**ORDINANCE NO: 2016-25**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING ORDINANCE NO. 2015-109 WHICH ESTABLISHED THE SALARY, COMPENSATION, AND HOURLY RATES OF PAY FOR BARGAINING EMPLOYEES IN THE VARIOUS OFFICES AND DEPARTMENTS, AND WHICH CONFIRMED LONGEVITY COMPENSATION, VACATIONS, HOLIDAYS AND OTHER BENEFITS, IN THE CITY OF LYNDHURST, OHIO, REPEALING CERTAIN SECTIONS OF ORDINANCE NO. 2015-109 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY**

WHEREAS, Council previously enacted Ordinance No. 2015-109 establishing the salary, compensation, and hourly rates of pay for employees in the various offices and departments, including members of boards and commissions and confirming other specific matters related thereto effective January 1, 2016 unless otherwise specified; now, therefore,

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

**SECTION 1.** That salary, compensation and hourly rates of pay for bargaining unit employees of various offices and departments of the City of Lyndhurst are hereby fixed effective January 1, 2016, unless otherwise specified, as follows, subject to the method of payment provided for in Section 12:

**A. SAFETY FORCES**

**SUBSECTION 1. POLICE DEPARTMENT:**

a.	Lieutenants	\$94,198.07 per annum
	Sergeants	\$84,105.59 per annum
	Patrolman with two years or more service in the Department	\$75,093.93 per annum
	Patrolman with more than one year but less than two years service in the Department	\$68,835.10 per annum
	Patrolman with more than six months but less than one year service in the Department	\$62,572.64 per annum
	Patrolman with less than six months service in the Department	\$58,550.39 per annum
	Members of the Police Department assigned to Detective Duties (in addition to regular salary)	\$150 per month
	Members of the Police Department assigned as Detective Bureau Commander and Traffic Bureau Commander (in addition to regular salary)	\$150 per month
b.	Dispatch Supervisor	\$25.19 to \$27.19 per hour
	Dispatch Coordinator	\$23.93 to \$25.93 per hour
	Community Relation Liaison	\$27.98 to \$28.98 per hour
	Police Secretary (Full – Time)	\$21.68 to \$23.68 per hour
	Police Secretary (Part – Time)	\$19.45 to \$21.45 per hour
c.	Police Radio Dispatcher	\$22.72 to \$24.72 per hour

- d. Shift differentials, overtime, uniform allowance vacations and holidays, sick leave, emergency pay leave, on-the-job injury leave, jury duty compensation, education premium, tuition reimbursement, remedial salary adjustment, longevity, life insurance and sick leave conversion shall be as provided in the collective bargaining agreement.

**SUBSECTION 2. FIRE DEPARTMENT:**

a. Captain - Fire Prevention Officer	\$90,143 per annum
Captains	\$89,709 per annum
Lieutenants	\$80,099 per annum
Firefighter with two years or more service in Dept. (Class A)	\$71,516 per annum
Firefighter with more than one year but less than two years service in Dept.	\$65,534 per annum
Firefighter with more than six months but less than one year service in Dept.	\$59,580 per annum
Firefighter with less than six months service in Dept.	\$55,750 per annum
Collective Bargaining Unit Members of the Fire Department certified as paramedics and assigned to paramedic duty (in addition to regular salary as stated in the Collective Bargaining Unit Agreements	5% annual base pay

- b. Overtime for members of the Fire Department, Uniform Allowances Tours of Duty, Vacations and Holidays, Sick Leave, Sick Leave Conversion, Longevity, Emergency Paid Leave, and other benefits shall be as provided in the collective bargaining agreement.

**SUBSECTION 3. DIRECTOR OF SAFETY** \$0 per annum (effective 1/23/02)

**SECTION 2.** That salary, compensation and hourly rates of pay for bargaining unit employees of various offices and departments of the City of Lyndhurst are hereby fixed effective January 1, 2016, unless otherwise specified, as follows, subject to the method of payment provided for in Section 12:

**A. BUILDING DEPARTMENT.**

**SUBSECTION 1.**

Building Inspector	\$40,170 to \$63,048 per annum
Housing Inspector	\$38,018 to \$52,565 per annum
Clerk/Secretary	\$28,406 to \$50,013 per annum
Custodians (full-time)	\$13.36 - \$29.32 per hour

**SUBSECTION 2.**

- a. The Inspectors (full-time) shall be reimbursed for dry cleaning upon presentation of invoices up to \$100.00 per person per year. Reimbursement upon presentation of invoices up to \$300.00 per person per year shall be given for work shirts, pants, or safety shoes.

- b. For the employees in the Building Department wages, overtime, remedial cash adjustment, longevity, certification adjustments, hospitalization, union standard premium, holidays, vacations, sick leave, sick leave conversion, and such other provisions shall be as provided in the Respective Collective Bargaining Agreement.

**B. SERVICE DEPARTMENT**

**SUBSECTION 1.** The Director of Public Service shall be reimbursed for dry cleaning upon presentation of invoices for such dry cleaning in the amount of \$10.00 with a maximum amount of \$100.00 per year.

**SUBSECTION 2. SERVICE DEPARTMENT EMPLOYEES**

- a. All employees in Department covered by collective bargaining agreement \$20.00 to \$34.02 per hour
- b. General Foreman \$29.59 to \$40.07 per hour
- c. All Hospitalization, Shoe Allowance, Protective Eye Glasses, Remedial Salary Adjustment, Crew Leader Premium, General Foreman Premium, Commercial Driver's License Allowance and Sick Leave Conversion shall be as provided in the respective collective bargaining agreement.

**SUBSECTION 3.** Overtime for employees in the Service Department, Uniform Allowance, Vacations and Holidays, Sick Leave, Call Back, and Emergency Paid Leave shall be as provided in the collective bargaining agreement.

**C. CLERICAL EMPLOYEES IN THE VARIOUS DEPARTMENTS**

**SUBSECTION 1. FULL-TIME CLERKS / ACCOUNTANTS**

- a. Full time Clerks \$10.00 to \$23.81 per hour
- b. Full time Accountants \$10.15 to \$29.45 per hour
- c. For the employees in the Finance Department, wages, overtime, remedial cash adjustment, longevity, certification adjustments, hospitalization, education premium, union steward, holidays, vacations, sick leave, sick leave conversion, and such other provisions shall be as provided in the Respective Collective Bargaining Agreement.

**SUBSECTION 2. PART-TIME CLERKS**

- a. Part time clerks \$8.22 to \$21.34 per hour

**SECTION 3. DEFINITIONS:**

A full-time employee is defined as one who is employed to work a minimum of 40 hours per week on an annual basis.

A part-time employee is defined as one who is employed to work less than 40 hours per week on a permanent basis and is scheduled to work regularly scheduled hours, each week, and 52 weeks per year.

A seasonal employee is defined as one who is employed to work for a specified limited period of time regardless of the number of hours worked in one week.

Retirement is defined as withdrawal from employment with the City of Lyndhurst pursuant to and through an established retirement plan of Police and Fire Pension, P.E.R.S., Disability Retirement, Death or any other lawful pension plan.

**SECTION 4. LONGEVITY:**

Longevity compensation shall be as provided in Codified Ord. 159.08

**SECTION 5. HOSPITALIZATION:**

Hospitalization shall be as provided in Codified Ord. 159.09 and in regard to any specific bargaining unit as provided in the Collective Bargaining Agreement entered into with said bargaining unit.

**SECTION 6. VACATIONS AND HOLIDAYS:**

Vacations and Holidays shall be as provided in Codified Ord. 159.10 as amended to date.

**SECTION 7. OTHER HOLIDAY PROVISIONS:**

Other Holiday provisions shall be as provided in the respective collective bargaining agreements and Codified Ord. 159.10 as modified to accommodate the agreements.

**SECTION 8. SICK LEAVE:**

Sick Leave shall be as provided in Codified Ord. 159.11 as amended to date or as provided in the collective bargaining agreements.

**SECTION 9. EMERGENCY PAID LEAVE:**

Emergency Paid Leave shall be as provided in Codified Ord. 159.12, or as provided in the collective bargaining agreements.

**SECTION 10. OVERTIME:**

Overtime shall be as provided in Codified Ord. 159.14 unless modified by a collective bargaining agreement approved by Council, at which time the terms and conditions of said collective bargaining agreement shall prevail.

**SECTION 11. COMPENSATION DURING JURY SERVICE:**

Jury Service Compensation shall be as provided in Codified Ord. 159.07(c).

**SECTION 12. PAYMENT OF SALARIES AND COMPENSATION:**

Payment of Salaries and Compensation shall be as provided in Codified Ord. 159.07(a) as amended to date.

**SECTION 13. EFFECTIVE DATE:**

This Ordinance and provisions herein made with respect to compensation and other benefits shall be effective from and after such pay period that includes January 1, 2016 unless a different effective date as to specific provisions is stated herein, in which case such specific effective date shall prevail.

This Ordinance shall apply only to bargaining unit persons who are employees of the City of Lyndhurst on and after the date of passage of this ordinance.

**SECTION 14. REPEAL OF PRIOR ORDINANCES:**

Any and all ordinances, or parts thereof, inconsistent herewith, and specifically Ordinance No. 2015-109 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 15.** 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 16.** This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City of Lyndhurst and its inhabitants for the reason that compensation of the officers and employees of the City must be determined and fixed in order to provide for the current operation of the City Government. 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 and its provisions shall be effective as of January 1, 2016 unless stated otherwise herein.

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: \_\_\_\_\_