

**ORDINANCE NO. 2016-73  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING AND DIRECTING THE  
MAYOR TO ENTER INTO AGREEMENTS AND CONTRACTS  
WITH VARIOUS INSURANCE CARRIERS RECOMMENDED  
BY JACKSON, DIEKEN & ASSOCIATES, INC., TO PROVIDE  
THE NEEDED INSURANCE COVERAGE REQUIRED BY THE  
CITY OF LYNDHURST AND DECLARING AN EMERGENCY**

**WHEREAS**, Jackson, Dieken & Associates, Inc. have undertaken to place new insurance where needed, replace cancelled or expired insurance where necessary, secure competitive prices and coverage where necessary, and have presented several recommendations for conventional insurance; and

**WHEREAS**, Jackson, Dieken & Associates, Inc., have advised that all insurance coverages for the City can be obtained for an amount not to exceed One Hundred Thirty Thousand Six Hundred and Forty Seven Dollars (\$130,647.00), for the period beginning October 1, 2016 and ending October 1, 2017. 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 and directed to enter into agreements with insurance carriers recommended by Jackson, Dieken & Associates, Inc., in an amount not to exceed One Hundred Thirty Thousand Six Hundred and Forty Seven Dollars (\$130,647.00), based generally on the proposal submitted by Jackson, Dieken & Associates, Inc., providing such insurance coverage as needed for the City as of October 1, 2016, and the Finance Director is authorized and directed to make payment therefore on the above insurance.

**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 public peace, health and safety of the City of Lyndhurst and its residents for the reason that the seeking, obtaining, and paying for insurance coverage is required to preserve the assets of the City. 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

**ORDINANCE NO: 2016-74**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE DETERMINING THE PORTIONS OF THE  
SANITARY SEWER ASSESSMENT TO BE ALLOCATED TO  
EACH SEWER FUND FOR THE TAX YEAR 2016, IN  
ACCORDANCE WITH SECTION 925.02(b) OF THE CODIFIED  
ORDINANCES**

**WHEREAS**, Section 925.02(b) of the Codified Ordinances requires Council to allocate annually by Ordinance the portions of the sanitary sewer assessment to be allocated between sanitary sewer funds. Now, therefore,

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

**SECTION 1.** For tax year 2016, the rates and charges provided in Section 925.01 of the Codified Ordinances shall be paid to the Director of Finance of this City and shall be placed in separate funds and expended for the purposes authorized by law, with **60%** of the assessment being used for the purpose of maintenance and repair of Sewers in the City and the remaining **40%** of the assessment being used for the purpose of meeting the Clean Water Act requirements imposed by the Federal Government and enforced by the Northeast Ohio Regional Sewer District.

**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 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: \_\_\_\_\_

**ORDINANCE NO. 2016-75  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 3 WITH WEATHERPROOFING TECHNOLOGIES, INC., FOR THE LYNDHURST COMMUNITY CENTER ROOF REPAIR PROJECT, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City has previously entered into a Contract with Weatherproofing Technologies, Inc., for the Lyndhurst Community Center Roof Repair Project; and

**WHEREAS**, Weatherproofing Technologies, Inc., has successfully completed the Contract; and

**WHEREAS**, it is necessary to enter into a Change Order as set forth herein due to needed additions to the Contract or unforeseen circumstances associated with the Contract 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 Weatherproofing Technologies, Inc., for the credit amount of Two Thousand Fifty-Eight Dollars and 93/100 (\$2,058.93), in addition to the Contract heretofore authorized by the Board of Control of this Council, as a credit for quantities not used, all as more fully set forth in Change Order No. 3, which is fully incorporated herein. The City's Consultant 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 Weatherproofing Technologies, 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 Eighty-Five Thousand Nine Hundred Fifty-Five Dollars (\$85,955.00). This final payment amount has been approved by the City's Consultant.

**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, and final payment to the Contractor. 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