

ORDINANCE NO. 2016-82
Introduced By: Administration

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES
AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST
FOR THE PERIOD ENDING DECEMBER 31, 2016
REPEALING ORDINANCE NO. 2016-43
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, 2016 and ending December 31, 2016, 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	\$2,841,010	
Other Expenses	\$761,692	\$3,602,702

1114 ANIMAL CONTROL

Salaries & Wages	\$0	
Other Expenses	\$34,000	\$34,000

1116 SPO & AUXILIARY

Salaries & Wages	\$79,182	
Other Expenses	\$18,339	\$97,521

1118 PARKS & SCHOOL SECURITY

Salaries & Wages	\$7,350	
Other Expenses	\$1,386	\$8,736

1121 COMMUNICATIONS

Salaries & Wages	\$452,453	
Other Expenses	\$153,893	\$606,346

1131 FIRE DEPARTMENT

Salaries & Wages	\$2,333,691	
Other Expenses	\$904,417	\$3,238,108

<i>TOTAL SECURITY OF PERSONS AND PROPERTY</i>		<i>\$7,587,413</i>
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PUBLIC HEALTH AND WELFARE

2211 COUNTY HEALTH DEPARTMENT

Other Expenses	\$54,884	\$54,884
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<i>TOTAL PUBLIC HEALTH AND WELFARE</i>		<i>\$54,884</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	\$299,291	
Other Expenses	\$187,613	<u>\$486,904</u>

TOTAL COMMUNITY ENVIRONMENT

\$519,624

LEISURE TIME ACTIVITIES

4419 PARKS

Salaries & Wages	\$147,328	
Other Expenses	\$70,108	\$217,436

4421 BRAINARD SPRAYGROUND

Salaries & Wages	\$41,100	
Other Expenses	\$36,253	\$77,353

4422 LYNDHURST POOL

Salaries & Wages	\$162,000	
Other Expenses	\$119,079	\$281,079

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 COMMUNITY PARTNERSHIP ON AGING

Other Expenses	\$156,970	<u>\$156,970</u>
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TOTAL LEISURE TIME ACTIVITIES

\$749,838

BASIC UTILITIES

5561 REFUSE COLLECTION AND DISPOSAL

Salaries & Wages	\$189,211	
Other Expenses	\$499,758	\$688,969

5563 RECYCLING

Salaries & Wages	\$147,335	
Other Expenses	\$97,518	\$244,853

5565 LEAVES

Salaries & Wages	\$93,950	
Other Expenses	\$60,507	\$154,457

5567 TREES

Salaries & Wages	\$97,550	
Other Expenses	\$82,921	<u>\$180,471</u>

TOTAL BASIC UTILITIES

\$1,268,750

GENERAL GOVERNMENT

7711 MAYOR

Salaries & Wages	\$150,000	
Other Expenses	\$82,275	\$232,275

7712 INCOME TAX ADMINISTRATION

Other Expenses	\$450,000	\$450,000
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7713 FINANCE DEPARTMENT

Salaries & Wages	\$354,580	
Other Expenses	\$152,213	\$506,793

7714 LAW DEPARTMENT

Salaries & Wages	\$83,090	
Other Expenses	\$113,087	\$196,177

7715 SERVICE DEPARTMENT

Salaries & Wages	\$327,677	
Other Expenses	\$186,635	\$514,312

7717 CIVIL SERVICE COMMISSION

Salaries & Wages	\$7,500	
Other Expenses	\$29,434	\$36,934

7721 COUNCIL

Salaries & Wages	\$90,319	
Other Expenses	\$45,554	\$135,873

7731 MUNICIPAL COURT

Salaries & Wages	\$775,350	
Other Expenses	\$431,885	\$1,207,235

7741 GENERAL ADMINISTRATION

Other Expenses	\$408,166	\$408,166
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7742 PUBLIC LANDS & BUILDINGS

Salaries & Wages	\$86,050	
Other Expenses	\$403,901	\$489,951

7744 STATUTORY

Other Expenses	\$410,250	\$410,250
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7746 ENGINEERING

Salaries & Wages	\$18,400	
Other Expenses	\$22,843	\$41,243

7761 UNCLAIMED

Other Expenses	\$5,000	<u>\$5,000</u>
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TOTAL GENERAL GOVERNMENT \$4,634,209

TOTAL OPERATIONS \$14,814,718

INTERFUND TRANSFERS & ADVANCES

to Police Pension Fund	\$332,412
to Fire Pension Fund	\$378,257
to LV Perm Improv Tax Inc Fund	\$567,938
to Sidewalk Repair Fund	\$0
to Sewer Maintenance Fund	\$0
to Sewer Construction Fund	\$0
to Community Center Fund	\$222,000
to Petty Cash Fund	<u>\$0</u>

TOTAL INTERFUND TRANSFERS AND ADVANCES \$1,500,607

GRAND TOTAL GENERAL FUND **\$16,315,325**

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

<u>210 STATE HIGHWAY FUND</u>			
Other Expenses	\$64,000	\$64,000	
TOTAL STATE HIGHWAY FUND			\$64,000
<u>220 COURT PROBATION SERVICES</u>			
Salaries & Wages	\$18,154		
Other Expenses	\$5,460	\$23,614	
TOTAL COURT PROBATION SERVICES			\$23,614
<u>230 COURT SPECIAL PROJECTS FUND</u>			
Salaries & Wages	\$134,726		
Other Expenses	\$111,007	\$245,733	
<u>231 COURT SPECIAL PROJECTS IDIAM FUND</u>			
Other Expenses	\$13,500	\$13,500	
TOTAL COURT SPECIAL PROJECTS FUND			\$259,233
<u>240 STREET CONSTRUCTION, MAINT. & REPAIR FUND</u>			
<u>1141 TRAFFIC SAFETY</u>			
Salaries & Wages	\$64,786		
Other Expenses	\$115,259	\$180,045	
<u>5552 STORM SEWERS</u>			
Salaries & Wages	\$11,500		
Other Expenses	\$14,377	\$25,877	
<u>6611 STREETS</u>			
Salaries & Wages	\$155,865		
Other Expenses	\$104,874	\$260,739	
<u>6621 SNOW REMOVAL</u>			
Salaries & Wages	\$123,500		
Other Expenses	\$279,272	\$402,772	
TOTAL STREET CONSTRUCTION, MAINT & REPAIR FUND			\$869,433
<u>250 COMMUNITY CENTER FUND</u>			
Salaries & Wages	\$148,366		
Other Expenses	\$136,635	\$285,001	
TOTAL COMMUNITY CENTER FUND			\$285,001
<u>260 COURT EDP FUND</u>			
Salaries & Wages	\$56,050		
Other Expenses	\$212,660	\$268,710	
TOTAL COURT EDP FUND			\$268,710
<u>280 DUI/INDIGENT FUND</u>			
Other Expenses	\$40,000	\$40,000	
TOTAL DUI/INDIGENT FUND			\$40,000
<u>290 LAW ENFORCEMENT FUND</u>			
Other Expenses	\$12,500	\$12,500	
TOTAL LAW ENFORCEMENT FUND			\$12,500
<u>291 LAW ENFORCEMENT ESA FUND</u>			
Other Expenses	\$21,383	\$21,383	
TOTAL LAW ENFORCEMENT ESA FUND			\$21,383
TOTAL SPECIAL REVENUE FUNDS			\$1,843,874

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

310 GENERAL BOND RETIREMENT FUND

Other Expenses	\$1,126,500	\$1,126,500	
TOTAL GENERAL BOND RETIREMENT FUND			\$1,126,500
TOTAL DEBT SERVICE FUNDS			\$1,126,500

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

410 PERMANENT IMPROVEMENT FUND

Capital Outlay	\$1,277,710	\$1,277,710	
TOTAL PERMANENT IMPROVEMENT FUND			\$1,277,710

440 PARKS & RECREATION EQUIPMENT

Capital Outlay	\$35,000	\$35,000	
TOTAL PARKS & RECREATION EQUIPMENT FUND			\$35,000

450 STREET IMPROVEMENT FUND

Capital Outlay	\$1,617,693	\$1,617,693	
TOTAL STREET IMPROVEMENT FUND			\$1,617,693

470 CAPITAL RESERVE FUND

Capital Outlay	\$200,000	\$200,000	
TOTAL CAPITAL RESERVE FUND			\$200,000

TOTAL CAPITAL PROJECTS FUNDS **\$3,130,403**

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

810 STREET LIGHTING FUND

Other Expenses	\$227,750	\$227,750	
TOTAL STREET LIGHTING FUND			\$227,750

820 SEWER MAINTENANCE & REPAIR FUND

Salaries & Wages	\$240,977		
Other Expenses	\$109,625		
Capital Outlay	\$182,260	\$532,862	
TOTAL SEWER MAINTENANCE & REPAIR FUND			\$532,862

830 SIDEWALK FUND

Other Expenses	\$153,000	\$153,000	
TOTAL SIDEWALK FUND			\$153,000

840 SEWER CONSTRUCTION FUND

Other Expenses	\$38,500		
Capital Outlay	\$436,390	\$474,890	
TOTAL SEWER CONSTRUCTION FUND			\$474,890

850 SHADE TREE FUND

Salaries & Wages	\$67,032		
Other Expenses	\$140,306	\$207,338	
TOTAL SEWER MAINTENANCE & REPAIR FUND			\$207,338

TOTAL SPECIAL ASSESSMENT FUNDS **\$1,595,840**

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

710 OTHER TRUST & AGENCY

Other Expenses	\$172,700	\$172,700	
TOTAL OTHER TRUST & AGENCY FUND			\$172,700

720 POLICE PENSION FUND

Other Expenses	\$462,012	\$462,012	
TOTAL POLICE PENSION FUND			\$462,012

730 FIRE PENSION FUND

Other Expenses	\$505,351	\$505,351	
TOTAL FIRE PENSION FUND			\$505,351

790 PETTY CASH FUND

Other Expenses	\$0	\$0	
TOTAL PETTY CASH FUND			\$0

TOTAL TRUST & AGENCY FUNDS **\$1,140,063**

GRAND TOTAL ALL FUNDS **\$25,152,005**

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. 2016-43 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: _____

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: _____

**ORDINANCE NO. 2016-83
INTRODUCED BY: COUNCIL AS A WHOLE**

**AN ORDINANCE AUTHORIZING THE DEPOSIT
OF LODGING TAXES COLLECTED BY THE CITY
INTO THE PERMANENT IMPROVEMENT FUND**

WHEREAS, Ordinance No. 60-46, adopted by the Council of the City of Lyndhurst on June 20, 1960, created the Permanent Improvement Fund, and directed that Admission Taxes and Inheritance Taxes collected by the City be deposited into said Permanent Improvement Fund; and

WHEREAS, Council has determined that Lodging Taxes collected by the City pursuant to Chapter 795 be deposited into the Permanent Improvement Fund. Now, therefore,

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

SECTION 1. Provided the Director of Finance obtains all approvals required by law, this Council authorizes the deposit of Lodging Taxes collected by the City into the Permanent Improvement Fund.

SECTION 2. The Director of Finance shall continue to account for all deposits made into the Permanent Improvement Fund.

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 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 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. 2016-84
INTRODUCED BY: COUNCIL AS A WHOLE**

**AN ORDINANCE PLACING A MORATORIUM ON
THE OPERATION OF ANY BED AND BREAKFAST
ESTABLISHMENT IN THE CITY, AND
DECLARING AN EMERGENCY**

WHEREAS, in accordance with the Constitution of the State of Ohio and the pertinent provisions of the Ohio Revised Code, the City of Lyndhurst has the power to enact planning and zoning laws that are intended to protect the health, welfare and safety of the citizens of the City; and

WHEREAS, the City of Lyndhurst has enacted such a Comprehensive Zoning Ordinance; and

WHEREAS, in that Ordinance the establishments known as Bed and Breakfasts are permitted only as conditional uses in the Mixed Use Overlay District; and

WHEREAS, the Director of Law of the City has determined that Bed and Breakfasts are not permitted in any other Zoning District in the City; and

WHEREAS, there has been an increase of Bed and Breakfast establishments in the Cleveland Metropolitan Area generated through internet sites such as Airbnb.com; and

WHEREAS, Council desires to review Bed and Breakfast legislation, and to enact reasonable regulations as to the size, number and location of such establishments; and

WHEREAS, until such regulations are established Council desires to enact a moratorium on the operation of any Bed and Breakfast establishment in the City. Now, therefore,

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

SECTION 1. Council hereby establishes a moratorium until April 3, 2017, prohibiting the operation of any Bed and Breakfast establishment in the City of Lyndhurst.

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 it is necessary to impose this moratorium immediately so as not to mislead any individuals seeking to establish or continue such establishments. 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. 2016-85
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION PROVIDING FOR HALLOWEEN
OBSERVANCE UPON THE STREETS AND OUT-OF-
DOORS FOR OCTOBER 31, 2016, BETWEEN THE
HOURS OF 6:00 P.M. AND 8:00 P.M.**

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

SECTION 1. Halloween activities and observances in the City of Lyndhurst, Ohio, in the year 2016 shall take place on Monday, October 31, 2016. The custom generally known as “trick or treating” shall be permitted only between the hours of 6:00 and 8:00 P.M., and the canvassing which is part of said custom shall be subject to parental supervision. Disorderly conduct and peace disturbances as provided for in Chapter 648 of the Codified Ordinances are prohibited.

SECTION 2. This Resolution is hereby declared to be an emergency measure necessary for the public health, peace, welfare, and safety of the City of Lyndhurst for the reason that most communities in and around Lyndhurst will observe Halloween on the same day, thereby eliminating the possibility of misunderstanding among children who may go from one community to another. Wherefore, this Resolution shall be in full force and effect immediately upon its passage and approval by the Mayor; otherwise, from and after 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: _____