

**RESOLUTION NO. 2017-26
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION RESCINDING RESOLUTION NO. 2017-14
ADOPTED MARCH 6, 2017, AND AUTHORIZING THE MAYOR
TO ENTER INTO A CONTRACT WITH JACOB KOWALCZYK
DBA BEXLEY CONCESSIONS FOR CONCESSIONAIRE
SERVICES DURING THE 2017 POOL SEASON AND
DECLARING AN EMERGENCY**

WHEREAS, Resolution No. 2017-14 authorized the Mayor to enter into a contract with Chris Ladaika dba Bexley Concessions for concessionaire services during the 2017 pool season; and

WHEREAS, Chris Ladaika dba Bexley Concessions can no longer perform such contract; and

WHEREAS, Jacob Kowalczyk dba Bexley Concessions has agreed to perform said contract. Now, therefore,

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

SECTION 1. This Council hereby rescinds Resolution No. 2017-14 adopted March 16, 2017.

SECTION 2. The Mayor is hereby authorized to enter into a contract with Jacob Kowalczyk dba Bexley Concessions for concessionaire services during the 2017 pool season in substantially the form of the Agreement attached hereto, incorporated herein, and marked Exhibit "A" for identification.

SECTION 3. This Council finds and determines that all formal actions of this Council concerning and relating to the adoption of this Resolution were taken in an open meeting of this Council and that all deliberations of this Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

SECTION 4. 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 of Lyndhurst for the reason that it is necessary to implement the aforesaid Agreement immediately and without delay so that its provisions shall be effective by the opening of the pool season in June 2017. 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: April 17, 2017

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
April 27, 2017 and May 4, 2017.

Clerk of Council

First Reading: April 17, 2017

Second Reading: Suspended

Third Reading: Suspended