

RESOLUTION NO. 2017-75

INTRODUCED BY: MAYOR WARD AND COUNCIL AS A WHOLE

**A RESOLUTION HONORING VINCENT DECRANE
FOR HIS DEDICATED SERVICE TO THE CITY OF
LYNDHURST AS A MEMBER OF THE PLANNING
COMMISSION.**

WHEREAS, Vincent DeCrane was first appointed as member of the Lyndhurst Planning Commission on June 1, 1972; and

WHEREAS, Vincent DeCrane, as an active and knowledgeable member of the Lyndhurst Planning Commission, provided tremendous insight, inspiration and guidance during the decades that saw numerous projects presented and developed within the City; and

WHEREAS, in addition to numerous housing developments in the City there were other significant projects presented to and approved by the Commission, including Three Village Condominiums, TRW World Headquarters, The Greens of Lyndhurst retail center, The Greens of Lyndhurst Nursing Home and Legacy Village, as well as the creation of the City's Master Plan; and

WHEREAS, there were a number of projects proposed for development in the City of Lyndhurst that the Commission did not approve because in their opinion those projects did not conform to the City's Planning and Zoning Code or Master Plan, or were not in keeping with the character of the City; and

WHEREAS, Vincent DeCrane has retired from the Commission after 45 years of inspirational service to the Lyndhurst Planning Commission and the residents of the City of Lyndhurst.

WHEREAS, Vincent DeCrane will be sorely missed. Now, therefore,

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

SECTION 1. This Council, on behalf of itself, the Mayor, the City administration, the employees and the residents of the City of Lyndhurst, Ohio, impart their sincere gratitude and appreciation to Vincent DeCrane for his dedicated and valuable service to the City of Lyndhurst as a Member of the City Planning Commission, and wish him good health and Godspeed in his retirement from that position.

SECTION 2. The Mayor, Patrick A. Ward, be and he is hereby requested to cause a fully executed duplicate of this Resolution to be presented to Vincent DeCrane at an appropriate occasion, and the Clerk of Council be and she is hereby authorized and directed to file the original hereof in the Journals of Council

SECTION 3. This Resolution shall take effect at the earliest time allowed by law.

PASSED: _____

MAYOR PATRICK A. WARD

ATTEST: _____
CLERK OF COUNCIL

VICE-MAYOR JOSEPH A. MARKO

LANE SCHLESSEL

JOSEPH A. GAMBATESE

DAVID A. FREY

JEFF PRICE

CHARLES A. LOPRESTI

STEVE GRUSHETSKY

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: _____

Proposed

ORDINANCE NO: 2017-76
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AMENDING SECTION 452.03 OF
THE CODIFIED ORDINANCES TITLED
“PROHIBITED STANDING OR PARKING PLACES”
AND DECLARING AN EMERGENCY**

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

SECTION 1. Section 452.03 of the Codified Ordinances titled “Prohibited Standing or Parking Places” is hereby amended to read as follows (new material appears like THIS and deleted material appears like ~~this~~):

452.03 PROHIBITED STANDING OR PARKING PLACES.

(a) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this title, or while obeying the directions of a police officer or a traffic-control device, in any of the following places:

- (1) On a sidewalk, except a bicycle;
- (2) In front of a public or private driveway;
- (3) Within an intersection;
- (4) Within ten feet of a fire hydrant;
- (5) On a crosswalk;
- (6) Within 20 feet of a crosswalk at an intersection;
- (7) Within 30 feet of, and upon the approach to, any flashing beacon, stop sign, or traffic-control device;
- (8) Between a safety zone and the adjacent curb or within 30 feet of points on the curb immediately opposite the ends of a safety zone, unless a different length is indicated by a traffic-control device;
- (9) Within 50 feet of the nearest rail of a railroad crossing;
- (10) Within 20 feet of a driveway entrance to any fire station and, on the side of the street opposite the entrance to any fire station, within 75 feet of the entrance when it is properly posted with signs;
- (11) Alongside or opposite any street excavation or obstruction when such standing or parking would obstruct traffic;
- (12) Alongside any vehicle stopped or parked at the edge or curb of a street;
- (13) Upon any bridge or elevated structure upon a highway, or within a highway tunnel;
- (14) At any place where signs prohibit stopping;
- (15) Within one foot of another parked vehicle;
- (16) On the roadway portion of a freeway, expressway, or thruway;
- (17) On a bicycle path;
- (18) On a bridle path;
- (Adopting Ordinance)
- (19) In any driveway on premises in which is located a building housing more than two families or any business building, or within 20 feet of such a building in any courtyard, side yard or rear yard of such premises, except for the purpose and during the time reasonably necessary for loading or discharging merchandise or passengers. However, the Fire Chief, on application by the owner of any property affected by this subsection, if he or she finds that parking without the limitations of this subsection will not increase the fire hazards on the premises or building affected, may permit parking nearer to buildings than is provided in this division, but such permit shall state what parking is permitted and shall be revocable at any time in the discretion of the Fire Chief.
- (20) In such streets that may be designated by rule of the Director of Safety or by ordinance pursuant to Chapter [406](#);

(21) On a treelawn. FOR PURPOSES OF THIS SECTION, TREELAWN IS DEFINED AS THAT AREA BETWEEN THE SIDEWALK AND THE CURB, AND INCLUDING THE DRIVEWAY APRON.

(22) ON ANY PORTION OF RESIDENTIAL PREMISES THAT IS NOT PAVED WITH CONCRETE OR ASPHALT OR OTHER HARDSTAND SURFACE, OR IS NOT COVERED WITH GRAVEL OR OTHER SIMILAR COVERING.

(b) Except as otherwise provided in this division, whoever violates this section is guilty of a misdemeanor of the fourth degree. If, within one year of the offense, the

offender previously has been convicted of or pleaded guilty to one predicate motor vehicle or traffic offense, whoever violates this section is guilty of a misdemeanor of the third degree. If, within one year of the offense, the offender previously has been convicted of two or more predicate motor vehicle or traffic offenses, whoever violates this section is guilty of a misdemeanor of the second degree.

SECTION 2. All provisions of Section 452.03 of the Codified Ordinances of the City inconsistent herewith are hereby repealed, and all other provisions of Section 452.03961.01 shall remain in full force and effect.

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 residents of the City of Lyndhurst for the reason that it is necessary to implement the provisions of this Ordinance without delay in order to continue the normal operation of the City's Department of Police. 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 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. 2017-77
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1
WITH GREAT LAKES CRUSHING, LTD., FOR THE
MUNICIPAL CENTER PARKING LOT EXPANSION
PROJECT, AND DECLARING AN EMERGENCY**

WHEREAS, the City has previously entered into a Contract with Great Lakes Crushing, Ltd., for the Municipal Center Parking Lot Expansion Project; and

WHEREAS, is it necessary to enter into a Change Order as set forth herein due to needed additions and deletions to the Project. Now, therefore,

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

SECTION 1. The Mayor be and he is hereby authorized to enter into a Change Order Contract with Great Lakes Crushing, Ltd., for the additional amount of One Thousand Nine Hundred Fifty-Four Dollars and 70/100 (\$1,954.70), in addition to the Contract heretofore authorized by the Board of Control of this Council, for the performance of additional work to lower the existing gas line in the project area not included in the original Contract scope of work, all as more fully set forth in Change Order No. 1, dated October 25, 2017, 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 pay 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. 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 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: _____

Proposed

ORDINANCE NO. 2017-78
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1
WITH RONYAK PAVING, INC., FOR THE 2017 ASPHALT
PROGRAM, AUTHORIZING THE CLOSEOUT OF SAID
CONTRACT, AND DECLARING AN EMERGENCY**

WHEREAS, the City has previously entered into a Contract with Ronyak Paving, Inc., for the 2017 Asphalt Program; and

WHEREAS, Ronyak Paving, 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 Program or unforeseen circumstances associated with the Program. Now, therefore,

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

SECTION 1. The Mayor be and he is hereby authorized to enter into a Change Order Contract with Ronyak Paving, Inc., for the additional amount of Seventeen Thousand One Hundred Ten Dollars and 56/100 (\$17,110.56), in addition to the Contract heretofore authorized by the Board of Control of this Council, as and for final reconciliation of contract quantities for said Contract, all as more fully set forth in Change Order No. 1, dated October 25, 2017, 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 pay 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 Ronyak Paving, 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 Six Hundred Ten Thousand One Hundred Fifty-Five Dollars and 36/100 (\$610,155.36). 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: _____

Proposed

**RESOLUTION NO. 2017-79
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO
RETAIN RANALLO & AVENI, LLC, TO PROVIDE LEGAL
SERVICES TO THE CITY AND DECLARING AN
EMERGENCY**

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

SECTION 1. The Mayor is hereby authorized to retain Ranallo & Aveni, LLC, to provide legal services to the City, and to execute all contracts evidencing such representation.

SECTION 2. 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 3. 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 provide additional legal services immediately and without delay, 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: _____

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: _____