

**RESOLUTION NO. 2018-71
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION ACCEPTING AND APPROVING
THE FINDINGS AND RECOMMENDATIONS OF
THE TAX INCENTIVE REVIEW COUNCIL FOR
THE LYNDHURST TAX INCREMENT FINANCING
AGREEMENT REGARDING THE HOTEL AT
LEGACY VILLAGE, AND DECLARING AN
EMERGENCY**

WHEREAS, Council has received and reviewed the findings and recommendations for the City’s Tax Increment Financing Agreement regarding the hotel at Legacy Village from the Tax Incentive Review Council; and

WHEREAS, Council desires to accept and approve these findings and recommendations. Now, therefore,

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

SECTION 1. The Council of the City of Lyndhurst hereby accepts and approves the findings and recommendations for the City’s Tax Increment Financing Agreement regarding the hotel at Legacy Village made by the Tax Incentive Review Council, said findings and recommendations indicating compliance with all requirements as evidenced by Exhibit “A”, attached hereto, and as further set out in the meeting minutes, a copy of which is attached hereto and made a part hereof as Exhibit “B”.

SECTION 2. The Clerk of Council is directed to transmit a certified copy of this Resolution to: Matthew Sutherland, Ohio Department of Development, 77 South High Street, P.O. Box 1001, Columbus, Ohio 43216-1001, and Lisa Rocco, Director of Operations, Cuyahoga County Fiscal Office, 1219 Ontario Street, Cleveland, Ohio 44113

SECTION 3. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council and any of committees that result in such formal action were in meetings open to the public in compliance with all legal requirements.

SECTION 4. This Resolution shall take effect at the earliest time permitted 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: _____

ORDINANCE NO. 2018-72
Introduced By: Administration

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES
AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST
FOR THE PERIOD ENDING DECEMBER 31, 2018
REPEALING ORDINANCE NO. 2018-53
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, 2018 and ending December 31, 2018, 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	\$3,088,260	
Other Expenses	\$805,239	\$3,893,499

1114 ANIMAL CONTROL

Salaries & Wages	\$0	
Other Expenses	\$35,500	\$35,500

1116 SPO & AUXILIARY

Salaries & Wages	\$64,500	
Other Expenses	\$15,771	\$80,271

1118 PARKS & SCHOOL SECURITY

Salaries & Wages	\$8,085	
Other Expenses	\$1,499	\$9,584

1121 COMMUNICATIONS

Salaries & Wages	\$451,356	
Other Expenses	\$146,314	\$597,670

1131 FIRE DEPARTMENT

Salaries & Wages	\$2,635,697	
Other Expenses	\$714,827	\$3,350,524

<i>TOTAL SECURITY OF PERSONS AND PROPERTY</i>		<i>\$7,967,048</i>
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PUBLIC HEALTH AND WELFARE

2211 COUNTY HEALTH DEPARTMENT

Other Expenses	\$60,484	\$60,484
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<i>TOTAL PUBLIC HEALTH AND WELFARE</i>		<i>\$60,484</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	\$304,647	
Other Expenses	\$203,014	<u>\$507,661</u>

TOTAL COMMUNITY ENVIRONMENT \$540,381

LEISURE TIME ACTIVITIES

4419 PARKS

Salaries & Wages	\$158,266	
Other Expenses	\$71,979	\$230,245

4421 BRAINARD SPRAYGROUND

Salaries & Wages	\$42,950	
Other Expenses	\$37,636	\$80,586

4422 LYNDHURST POOL

Salaries & Wages	\$169,457	
Other Expenses	\$133,353	\$302,810

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	\$151,680	<u>\$151,680</u>
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TOTAL LEISURE TIME ACTIVITIES \$782,321

BASIC UTILITIES

5561 REFUSE COLLECTION AND DISPOSAL

Salaries & Wages	\$276,750	
Other Expenses	\$501,248	\$777,998

5563 RECYCLING

Salaries & Wages	\$179,360	
Other Expenses	\$96,962	\$276,322

5565 LEAVES

Salaries & Wages	\$96,450	
Other Expenses	\$59,253	\$155,703

5567 TREES

Salaries & Wages	\$75,213	
Other Expenses	\$85,258	<u>\$160,471</u>

TOTAL BASIC UTILITIES \$1,370,494

GENERAL GOVERNMENT

7711 MAYOR

Salaries & Wages	\$154,658	
Other Expenses	\$82,797	\$237,455

7712 INCOME TAX ADMINISTRATION

Other Expenses	\$371,515	\$371,515
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7713 FINANCE DEPARTMENT

Salaries & Wages	\$393,237	
Other Expenses	\$172,495	\$565,732

7714 LAW DEPARTMENT

Salaries & Wages	\$89,375	
Other Expenses	\$124,058	\$213,433

7715 SERVICE DEPARTMENT

Salaries & Wages	\$360,125	
Other Expenses	\$196,640	\$556,765

7717 CIVIL SERVICE COMMISSION

Salaries & Wages	\$7,500	
Other Expenses	\$39,434	\$46,934

7721 COUNCIL

Salaries & Wages	\$96,778	
Other Expenses	\$50,062	\$146,840

7731 MUNICIPAL COURT

Salaries & Wages	\$834,824	
Other Expenses	\$481,280	\$1,316,104

7741 GENERAL ADMINISTRATION

Other Expenses	\$402,907	\$402,907
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7742 PUBLIC LANDS & BUILDINGS

Salaries & Wages	\$89,167	
Other Expenses	\$409,550	\$498,717

7744 STATUTORY

Other Expenses	\$362,250	\$362,250
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7746 ENGINEERING

Salaries & Wages	\$18,900	
Other Expenses	\$18,420	\$37,320

7761 UNCLAIMED

Other Expenses	\$5,000	<u>\$5,000</u>
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TOTAL GENERAL GOVERNMENT \$4,760,972

TOTAL OPERATIONS \$15,481,700

INTERFUND TRANSFERS & ADVANCES

to Police Pension Fund	\$430,312	
to Fire Pension Fund	\$450,850	
to LV Perm Improv Tax Inc Fund	\$811,325	
to Permanent Improv Fund	\$765,000	
to Sewer Maintenance Fund	\$0	
to Sewer Construction Fund	\$0	
to Community Center Fund	\$245,000	
to Petty Cash Fund	<u>\$0</u>	

TOTAL INTERFUND TRANSFERS AND ADVANCES \$2,702,487

GRAND TOTAL GENERAL FUND ***\$18,184,187***

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

<u>210 STATE HIGHWAY FUND</u>			
Other Expenses	\$50,000	\$50,000	
TOTAL STATE HIGHWAY FUND			\$50,000
<u>220 COURT PROBATION SERVICES</u>			
Salaries & Wages	\$27,450		
Other Expenses	\$10,778	\$38,228	
TOTAL COURT PROBATION SERVICES			\$38,228
<u>230 COURT SPECIAL PROJECTS FUND</u>			
Salaries & Wages	\$119,822		
Other Expenses	\$113,889	\$233,711	
<u>231 COURT SPECIAL PROJECTS IDIAM FUND</u>			
Other Expenses	\$13,500	\$13,500	
TOTAL COURT SPECIAL PROJECTS FUND			\$247,211
<u>240 STREET CONSTRUCTION, MAINT. & REPAIR FUND</u>			
<u>1141 TRAFFIC SAFETY</u>			
Salaries & Wages	\$66,835		
Other Expenses	\$117,003	\$183,838	
<u>5552 STORM SEWERS</u>			
Salaries & Wages	\$38,000		
Other Expenses	\$28,471	\$66,471	
<u>6611 STREETS</u>			
Salaries & Wages	\$171,638		
Other Expenses	\$110,446	\$282,084	
<u>6621 SNOW REMOVAL</u>			
Salaries & Wages	\$122,000		
Other Expenses	\$271,249	\$393,249	
TOTAL STREET CONSTRUCTION, MAINT & REPAIR FUND			\$925,642
<u>250 COMMUNITY CENTER FUND</u>			
Salaries & Wages	\$158,391		
Other Expenses	\$137,589	\$295,980	
TOTAL COMMUNITY CENTER FUND			\$295,980
<u>260 COURT EDP FUND</u>			
Salaries & Wages	\$100		
Other Expenses	\$230,200	\$230,300	
TOTAL COURT EDP FUND			\$230,300
<u>280 DUI/INDIGENT FUND</u>			
Other Expenses	\$50,000	\$50,000	
TOTAL DUI/INDIGENT FUND			\$50,000
<u>290 LAW ENFORCEMENT FUND</u>			
Other Expenses	\$10,000	\$10,000	
TOTAL LAW ENFORCEMENT FUND			\$10,000
<u>291 LAW ENFORCEMENT ESA FUND</u>			
Other Expenses	\$16,000	\$16,000	
TOTAL LAW ENFORCEMENT ESA FUND			\$16,000
<i>TOTAL SPECIAL REVENUE FUNDS</i>			<i>\$1,863,361</i>

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

310 GENERAL BOND RETIREMENT FUND

Other Expenses	\$1,199,000	\$1,199,000	
TOTAL GENERAL BOND RETIREMENT FUND			\$1,199,000

320 LV PUBLIC IMPROVEMENT FUND

Other Expenses	\$425,849	\$425,849	
TOTAL GENERAL LV PUBLIC IMPROV FUND			\$425,849

TOTAL DEBT SERVICE FUNDS **\$1,624,849**

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

410 PERMANENT IMPROVEMENT FUND

Capital Outlay	\$923,867	\$923,867	
TOTAL PERMANENT IMPROVEMENT FUND			\$923,867

440 PARKS & RECREATION EQUIPMENT

Capital Outlay	\$5,000	\$5,000	
TOTAL PARKS & RECREATION EQUIPMENT FUND			\$5,000

450 STREET IMPROVEMENT FUND

Capital Outlay	\$1,183,476	\$1,183,476	
TOTAL STREET IMPROVEMENT FUND			\$1,183,476

470 CAPITAL RESERVE FUND

Capital Outlay	\$1,768,284	\$1,768,284	
TOTAL CAPITAL RESERVE FUND			\$1,768,284

TOTAL CAPITAL PROJECTS FUNDS **\$3,880,627**

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

810 STREET LIGHTING FUND

Other Expenses	\$229,750	\$229,750	
TOTAL STREET LIGHTING FUND			\$229,750

820 SEWER MAINTENANCE & REPAIR FUND

Salaries & Wages	\$218,492		
Other Expenses	\$100,386		
Capital Outlay	\$298,050	\$616,928	
TOTAL SEWER MAINTENANCE & REPAIR FUND			\$616,928

830 SIDEWALK FUND

Other Expenses	\$164,000	\$164,000	
TOTAL SIDEWALK FUND			\$164,000

840 SEWER CONSTRUCTION FUND

Other Expenses	\$28,500		
Capital Outlay	\$943,345	\$971,845	
TOTAL SEWER CONSTRUCTION FUND			\$971,845

850 SHADE TREE FUND

Salaries & Wages	\$73,562		
Other Expenses	\$67,411	\$140,973	
TOTAL SEWER MAINTENANCE & REPAIR FUND			\$140,973

TOTAL SPECIAL ASSESSMENT FUNDS **\$2,123,496**

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

710 OTHER TRUST & AGENCY

Other Expenses	\$159,500	\$159,500	
TOTAL OTHER TRUST & AGENCY FUND			\$159,500

720 POLICE PENSION FUND

Other Expenses	\$518,585	\$518,585	
TOTAL POLICE PENSION FUND			\$518,585

730 FIRE PENSION FUND

Other Expenses	\$595,125	\$595,125	
TOTAL FIRE PENSION FUND			\$595,125

790 PETTY CASH FUND

Other Expenses	\$0	\$0	
TOTAL PETTY CASH FUND			<u>\$0</u>

TOTAL TRUST & AGENCY FUNDS **\$1,273,210**

GRAND TOTAL ALL FUNDS **\$28,949,730**

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. 2018-53 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. 2018-73
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1
WITH TC CONSTRUCTION CO., INC. FOR THE 2018
CONCRETE PROGRAM, AND DECLARING AN
EMERGENCY**

WHEREAS, the City has previously entered into a Contract with TC Construction Co., Inc. for the 2018 Concrete Program; and

WHEREAS, TC Construction Co., 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 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 TC Construction Co., Inc. for the credit amount of Nine Thousand Five Hundred Twenty-Eight Dollars and 44/100 (\$9,528.44), 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 September 24, 2018, 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 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 TC Construction Co., 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 Four Hundred Twenty-Eight Thousand Sixty-Six Dollars and 56/100 (\$428,066.56). 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: _____