

**RESOLUTION NO. 2018-95
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO
IMPLEMENT HEALTH CARE COVERAGE FOR THE
EMPLOYEES OF 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 and directed to enter into necessary agreements to implement health care coverage for the eligible employees of the City with Anthem at the following monthly rates, effective January 1, 2019:

Monthly Rates by Category	Anthem PPO 1000 Option 5 Rx T2	Anthem HSA 2700 Option E1 Rx T8
Employee Only	\$ 480.32	\$ 412.09
Employee and Spouse	\$ 1,412.04	\$ 1,211.46
Employee and Children	\$ 841.06	\$ 721.59
Family	\$ 1,475.42	\$ 1,265.84

SECTION 2. The rates specified above for health care are for a twelve-month period beginning January 1, 2019. Should it become necessary to extend this coverage beyond the aforesaid twelve-month period, Council shall approve any extension and any increase in the stated rates, if applicable.

SECTION 3. Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution 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 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 for the reason that it is necessary to implement the aforesaid insurance coverage for the employees of the City so that the same are effective as of January 1, 2019. 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: _____

Proposed

**ORDINANCE 2018-96
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH HENDERSON, SCHMIDLIN & MCGARRY CO., L.P.A. TO PROVIDE LEGAL SERVICES FROM JANUARY 1, 2019, THROUGH DECEMBER 31, 2019, AND DECLARING AN EMERGENCY

WHEREAS, the Mayor of the City of Lyndhurst has appointed Paul T. Murphy as the Director of Law for the City; and

WHEREAS, Paul T. Murphy is a partner at the law firm of Henderson, Schmidlin & McGarry Co., L.P.A.; and

WHEREAS, the City of Lyndhurst wishes to continue to engage Paul T. Murphy and the law firm of Henderson, Schmidlin & McGarry Co., L.P.A. to perform legal services beginning January 1, 2019, and ending December 31, 2019. Now therefore,

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

SECTION 1. Paul T. Murphy shall continue to be employed as the Director of Law for the City for the period beginning January 1, 2019, and ending December 31, 2019, at a salary to be determined annually by Council. The Director of Law shall perform the duties imposed by Charter and Ordinances of the City of Lyndhurst, and by State law.

SECTION 2. The Mayor be and is hereby authorized to enter into an agreement to engage the law firm of Henderson, Schmidlin & McGarry Co., L.P.A. to represent the City in connection with various matters at an hourly rate to be determined annually by Council beginning January 1, 2019, and ending December 31, 2019. Council hereby ratifies any work that has been performed by Henderson, Schmidlin & McGarry Co., L.P.A., prior to and up to the date of this Ordinance in accordance herewith.

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 preservation of the public peace, health, safety and welfare and for the further reason that it is immediately necessary in order to provided continued legal services for the City. Therefore, this Ordinance shall take effect and be in force immediately upon its passage and approval by the affirmative vote of not less than five (5) members elected to Council, and signature by the Mayor, or otherwise 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 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: _____

Proposed

**ORDINANCE NO. 2018-97
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1
WITH SPECIALIZED CONSTRUCTION, INC. FOR THE
2018 ASPHALT PROGRAM, AUTHORIZING THE
CLOSEOUT OF SAID CONTRACT AND RELEASE OF
THE RETAINAGE, AND DECLARING AN EMERGENCY**

WHEREAS, the City has previously entered into a Contract with Specialized Construction, Inc. for the 2018 Asphalt Program; and

WHEREAS, Specialized Construction, 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 Specialized Construction, Inc. for the credit amount of Twenty-Eight Thousand One Hundred Nine Dollars and 05/100 (\$28,109.05), 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 November 27, 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 Specialized Construction, 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 Two Hundred Fifty-One Thousand Eight Hundred Forty-Seven Dollars and 08/100 (\$251,847.08). 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: _____

**ORDINANCE NO: 2018-98
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING ORDINANCE NO. 2018-85 WHICH ESTABLISHED THE SALARY, COMPENSATION, AND HOURLY RATES OF PAY FOR BARGAINING EMPLOYEES IN THE VARIOUS OFFICES AND DEPARTMENTS, AND WHICH CONFIRMED LONGEVITY COMPENSATION, VACATIONS, HOLIDAYS AND OTHER BENEFITS, IN THE CITY OF LYNDHURST, OHIO, REPEALING CERTAIN SECTIONS OF ORDINANCE NO. 2018-85 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY

WHEREAS, Council previously enacted Ordinance No. 2018-85 establishing the salary, compensation, and hourly rates of pay for employees in the various offices and departments, including members of boards and commissions and confirming other specific matters related thereto effective January 1, 2019 unless otherwise specified in the applicable Collective Bargaining Agreement; now, therefore,

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

SECTION 1. That salary, compensation and hourly rates of pay for bargaining unit employees of various offices and departments of the City of Lyndhurst are hereby fixed effective January 1, 2019, unless otherwise specified in the applicable Collective Bargaining Agreement, as follows, subject to the method of payment provided for in Section 12:

A. SAFETY FORCES

SUBSECTION 1. POLICE DEPARTMENT:

a.	Lieutenants	\$100,698.78 per annum
	Sergeants	\$89,909.81 per annum
	Patrolman with two years or more service in the Department	\$80,276.23 per annum
	Patrolman with more than one year but less than two years service in the Department	\$73,585.47 per annum
	Patrolman with more than six months but less than one year service in the Department	\$66,890.84 per annum
	Patrolman with less than six months service in the Department	\$62,591.02 per annum
	Members of the Police Department assigned to Detective Duties (in addition to regular salary)	\$150 per month
	Members of the Police Department assigned as Detective Bureau Commander and Traffic Bureau Commander (in addition to regular salary)	\$150 per month
b.	Dispatch Supervisor	\$25.94 to \$27.94 per hour
	Dispatch Coordinator	\$24.65 to \$26.65 per hour
	Community Relation Liaison	\$27.77 to \$29.77 per hour
	Police Secretary (Full – Time)	\$22.33 to \$24.33 per hour
	Police Secretary (Part – Time)	\$20.04 to \$22.04 per hour
c.	Police Radio Dispatcher	\$24.69 to \$26.69 per hour

- d. Shift differentials, overtime, uniform allowance vacations and holidays, sick leave, emergency pay leave, on-the-job injury leave, jury duty compensation, education premium, tuition reimbursement, remedial salary adjustment, longevity, life insurance and sick leave conversion shall be as provided in the Collective Bargaining Agreement.

SUBSECTION 2. FIRE DEPARTMENT:

- a.

Captain - Fire Prevention Officer	\$96,364 per annum
Captains	\$95,900 per annum
Lieutenants	\$85,626 per annum
Firefighter with two years or more service in Dept. (Class A)	\$76,452 per annum
Firefighter with more than one year but less than two years service in Dept.	\$70,057 per annum
Firefighter with more than six months but less than one year service in Dept.	\$63,691 per annum
Firefighter with less than six months service in Dept.	\$59,597 per annum
Collective Bargaining Unit Members of the Fire Department certified as paramedics and assigned to paramedic duty (in addition to regular salary as stated in the Collective Bargaining Unit Agreements	
	5% annual base pay
- b. Overtime for members of the Fire Department, Uniform Allowances Tours of Duty, Vacations and Holidays, Sick Leave, Sick Leave Conversion, Longevity, Emergency Paid Leave, and other benefits shall be as provided in the Collective Bargaining Agreement.

SUBSECTION 3. DIRECTOR OF SAFETY \$0 per annum (effective 1/23/02)

SECTION 2. That salary, compensation and hourly rates of pay for bargaining unit employees of various offices and departments of the City of Lyndhurst are hereby fixed effective January 1, 2019, unless otherwise specified in the applicable Collective Bargaining Agreement, as follows, subject to the method of payment provided for in Section 12:

A. BUILDING DEPARTMENT.

SUBSECTION 1.

- | | |
|------------------------|--------------------------------|
| Building Inspector | \$45,000 to \$66,077 per annum |
| Housing Inspector | \$42,000 to \$57,091 per annum |
| Clerk/Secretary | \$29,770 to \$52,586 per annum |
| Custodians (full-time) | |
| | \$14.13 - \$31.34 per hour |

SUBSECTION 2.

- a. The Inspectors (full-time) shall be reimbursed for dry cleaning upon presentation of invoices up to \$100.00 per person per year. Reimbursement upon presentation of invoices up to \$300.00 per person per year shall be

given for work shirts, work pants, or safety shoes.

- b. For the employees in the Building Department wages, overtime, remedial cash adjustment, longevity, certification adjustments, hospitalization, union standard premium, holidays, vacations, sick leave, sick leave conversion, and such other provisions shall be as provided in the Respective Collective Bargaining Agreement.

B. SERVICE DEPARTMENT

SUBSECTION 1. The Director of Public Service shall be reimbursed for dry cleaning upon presentation of invoices for such dry cleaning in the amount of \$10.00 with a maximum amount of \$100.00 per year.

SUBSECTION 2. SERVICE DEPARTMENT EMPLOYEES

- a. All employees in Department covered by Collective Bargaining Agreement \$20.00 to \$36.37 per hour
- b. General Foreman \$28.80 to \$39.00 per hour
- c. All Hospitalization, Shoe Allowance, Protective Eye Glasses, Remedial Salary Adjustment, Crew Leader Premium, General Foreman Premium, Commercial Driver's License Allowance and Sick Leave Conversion shall be as provided in the respective Collective Bargaining Agreement.

SUBSECTION 3. Overtime for employees in the Service Department, Uniform Allowance, Vacations and Holidays, Sick Leave, Call Back, and Emergency Paid Leave shall be as provided in the Collective Bargaining Agreement.

C. CLERICAL EMPLOYEES IN THE VARIOUS DEPARTMENTS

SUBSECTION 1. FULL-TIME CLERKS / ACCOUNTANTS

- a. Full time Clerks \$12.15 to \$25.00 per hour
- b. Full time Accountants \$14.15 to \$30.26 per hour
- c. For the employees in the Finance Department, wages, overtime, remedial cash adjustment, longevity, certification adjustments, hospitalization, education premium, union steward, holidays, vacations, sick leave, sick leave conversion, and such other provisions shall be as provided in the Respective Collective Bargaining Agreement.

SECTION 3. DEFINITIONS:

A full-time employee is defined as one who is employed to work a minimum of 40 hours per week on an annual basis.

A part-time employee is defined as one who is employed to work less than 40 hours per week on a permanent basis and is scheduled to work regularly scheduled hours, each week, and 52 weeks per year.

A seasonal employee is defined as one who is employed to work for a specified limited period of time regardless of the number of hours worked in one week.

Retirement is defined as withdrawal from employment with the City of Lyndhurst pursuant to and through an established retirement plan of Police and Fire Pension, P.E.R.S., Disability

Retirement, Death or any other lawful pension plan.

SECTION 4. LONGEVITY:

Longevity compensation shall be as provided in Codified Ord. 159.08

SECTION 5. HOSPITALIZATION:

Hospitalization shall be as provided in Codified Ord. 159.09 and in regard to any specific bargaining unit as provided in the Collective Bargaining Agreement entered into with said bargaining unit.

SECTION 6. VACATIONS AND HOLIDAYS:

Vacations and Holidays shall be as provided in Codified Ord.159.10 as amended to date.

SECTION 7. OTHER HOLIDAY PROVISIONS:

Other Holiday provisions shall be as provided in the respective Collective Bargaining Agreements and Codified Ord. 159.10 as modified to accommodate the agreements.

SECTION 8. SICK LEAVE:

Sick Leave shall be as provided in Codified Ord. 159.11 as amended to date or as provided in the Collective Bargaining Agreements.

SECTION 9. EMERGENCY PAID LEAVE:

Emergency Paid Leave shall be as provided in Codified Ord. 159.12, or as provided in the Collective Bargaining Agreements.

SECTION 10. OVERTIME:

Overtime shall be as provided in Codified Ord.159.14 unless modified by a collective bargaining agreement approved by Council, at which time the terms and conditions of said Collective Bargaining Agreement shall prevail.

SECTION 11. COMPENSATION DURING JURY SERVICE:

Jury Service Compensation shall be as provided in Codified Ord.159.07(c).

SECTION 12. PAYMENT OF SALARIES AND COMPENSATION:

Payment of Salaries and Compensation shall be as provided in Codified Ord. 159.07(a) as amended to date.

SECTION 13. EFFECTIVE DATE:

This Ordinance and provisions herein made with respect to compensation and other benefits shall be effective with the full pay period that includes January 1, 2019 unless a different effective date as to specific provisions is stated herein, in which case such specific effective date shall prevail.

This Ordinance shall apply only to bargaining unit persons who are employees of the City of Lyndhurst on and after the date of passage of this ordinance.

SECTION 14. REPEAL OF PRIOR ORDINANCES:

Any and all ordinances, or parts thereof, inconsistent herewith, and specifically Ordinance No. 2018-85 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 15. 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 16. This Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health and safety of the City of Lyndhurst and its inhabitants for the reason that compensation of the officers and employees of the City must be determined and fixed in order to provide for the current operation of the City Government. 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 and its provisions shall be effective as of January 1, 2019 unless stated otherwise herein.

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: _____