

**ORDINANCE NO. 2020-76  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 43 WITH GREENSPACE CONSTRUCTION SERVICES (GCS) FOR THE FIRE DEPARTMENT EXPANSION AND RENOVATION PROJECT, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City has previously entered a Contract with Greenspace Construction Services (GCS) for the Fire Department Expansion and Renovation Project; and

**WHEREAS**, it is necessary to enter a Change Order as set forth herein due to needed additions to the Contract or unforeseen circumstances associated with the Contract. 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 Greenspace Construction Services for the additional amount of Three Thousand Four Hundred Ninety Dollars and Fifty Two Cents (\$3,490.52), in addition to the Contract heretofore authorized by this Council, for Attic Ventilation Fans (B-032R), all as more fully set forth in GCS Change Order No. PCCO#43, dated July 16, 2020, which is fully incorporated herein. The Design Architect 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. 2020-77  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 44 WITH GREENSPACE CONSTRUCTION SERVICES (GCS) FOR THE FIRE DEPARTMENT EXPANSION AND RENOVATION PROJECT, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City has previously entered a Contract with Greenspace Construction Services (GCS) for the Fire Department Expansion and Renovation Project; and

**WHEREAS**, it is necessary to enter a Change Order as set forth herein due to needed additions to the Contract or unforeseen circumstances associated with the Contract. 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 Greenspace Construction Services in an amount not to exceed Eleven Thousand Six Hundred Ninety Dollars and Six Cents (\$11,690.06), in addition to the Contract heretofore authorized by this Council, for Phase II Piping Abatement, all as more fully set forth in GCS Change Order No. PCCO#44, dated July 30, 2020, which is fully incorporated herein. The Design Architect 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

**RESOLUTION NO. 2020-78**  
**INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION RECOGNIZING THE EXTRAORDINARY AND NECESSARY EXPENDITURE OF FUNDS NECESSITATED BY THE PUBLIC HEALTH EMERGENCY DECLARED WITH RESPECT TO THE COVID 19 PANDEMIC AND DECLARING AN EMERGENCY**

**WHEREAS**, on March 01, 2020 a Declaration of a National Emergency concerning the Novel Coronavirus (COVID-19) Pandemic was issued; and

**WHEREAS**, on March 09, 2020, The Governor of the State of Ohio declared a State of Emergency from the dangerous effects of COVID-19; and

**WHEREAS**, on March 16, 2020 the Lyndhurst City Council, aware of the seriousness of the COVID-19 virus, deemed it in the best interest of the health, safety and welfare of the community to authorize the Mayor and members of his Administration to execute any and all reasonable plans to contain the spread of the virus; and

**WHEREAS**, Council recently adopted Ordinance No. 2020-60, providing for the receipt of Federal Funds distributed to the City by Cuyahoga County as part of the Federal Coronavirus Aid, Relief, and Security (CARES) Act; and

**WHEREAS**, Council further authorized the establishment of a specific fund named "Lyndhurst Coronavirus Relief Fund" to account for receipt and use of said funds consistent with the requirements set forth by the Ohio Legislature and the United States Treasury; and

**WHEREAS**, it is the intention of the Administration and Council of the City of Lyndhurst to use said funds for the purposes and in the manner so prescribed by the United States Treasury and the Ohio Legislature; and

**WHEREAS**, The Coronavirus Pandemic has created unique and specific demands for public service and unique and specific required steps that must be taken in order to provide all emergency and necessary public services in a manner that protects City employees and the public and provides for the containment of the spread of the Coronavirus; and

**WHEREAS**, the Coronavirus Pandemic has created the need for numerous unfunded extraordinary measures and significant investment in previously unfunded capital projects that will provide City employees the ability to safely and efficiently work remotely, collaboratively and to provide those unique public services related to a pandemic or other declared State of Emergency. Now, therefore,

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

**SECTION 1.** The Mayor be and he is hereby authorized to enter into Managed Service Agreements for Professional Services, Supplies, Equipment, and Materials necessary in direct response to the current COVID-19 Public Health Emergency in compliance with the provisions of section 5001 of the Federal Coronavirus Aid, Relief and Economic Security (CARES) Act.

**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 preservation of the public peace, safety and welfare of the citizens of the City of Lyndhurst such reason being the Ordinance must be enacted immediately in order for the City to participate in this program for the protection of all and benefit from the funds provided. Therefore, this Resolution 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 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. 2020-79**  
**Introduced By: Administration**

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES  
AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST  
FOR THE PERIOD ENDING DECEMBER 31, 2020  
REPEALING ORDINANCE NO. 2020-67  
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, 2020 and ending December 31, 2020, 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**

**1110 PUBLIC SAFETY**

Salaries & Wages	\$15,000	
Other Expenses	\$2,323	\$17,323

**1111 POLICE**

Salaries & Wages	\$3,378,566	
Other Expenses	\$879,092	\$4,257,658

**1114 ANIMAL CONTROL**

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

**1116 SPO & AUXILIARY**

Salaries & Wages	\$59,405	
Other Expenses	\$14,765	\$74,170

**1118 PARKS & SCHOOL SECURITY**

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

**1121 COMMUNICATIONS**

Salaries & Wages	\$469,871	
Other Expenses	\$148,384	\$618,255

**1131 FIRE DEPARTMENT**

Salaries & Wages	\$2,667,810	
Other Expenses	\$773,901	\$3,441,711

<b>TOTAL SECURITY OF PERSONS AND PROPERTY</b>		<b>\$8,454,200.50</b>
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PUBLIC HEALTH AND WELFARE

2211 COUNTY HEALTH DEPARTMENT

Other Expenses \$76,305 \$76,305

2212 PUBLIC HEALTH

Other Expenses \$12,567 \$12,567

*TOTAL PUBLIC HEALTH AND WELFARE* \$88,871.58

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 \$333,591

Other Expenses \$198,725 \$532,316

*TOTAL COMMUNITY ENVIRONMENT* \$565,036.00

LEISURE TIME ACTIVITIES

4419 PARKS

Salaries & Wages \$171,158

Other Expenses \$77,015 \$248,173

4421 BRAINARD SPRAYGROUND

Salaries & Wages \$6,102

Other Expenses \$16,600 \$22,702

4422 LYNDHURST POOL

Salaries & Wages \$9,500

Other Expenses \$38,155 \$47,655

4433 HOME DAYS

Other Expenses \$15,000 \$15,000

4435 HOLIDAY LIGHTING

Other Expenses \$2,000 \$2,000

4437 COMMUNITY PARTNERSHIP ON AGING

Other Expenses \$142,817 \$142,817

*TOTAL LEISURE TIME ACTIVITIES* \$478,347.00



BASIC UTILITIES

5561 REFUSE COLLECTION AND DISPOSAL

Salaries & Wages	\$243,285	
Other Expenses	\$494,432	\$737,717

5563 RECYCLING

Salaries & Wages	\$157,093	
Other Expenses	\$128,007	\$285,100

5565 LEAVES

Salaries & Wages	\$96,450	
Other Expenses	\$60,863	\$157,313

5567 TREES

Salaries & Wages	\$95,484	
Other Expenses	\$104,056	<u>\$199,540</u>

*TOTAL BASIC UTILITIES* \$1,379,670.00

GENERAL GOVERNMENT

7711 MAYOR

Salaries & Wages	\$164,080	
Other Expenses	\$93,985	\$258,065

7712 INCOME TAX ADMINISTRATION

Other Expenses	\$365,000	\$365,000
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7713 FINANCE DEPARTMENT

Salaries & Wages	\$380,956	
Other Expenses	\$172,616	\$553,572

7714 LAW DEPARTMENT

Salaries & Wages	\$90,271	
Other Expenses	\$124,197	\$214,468

7715 SERVICE DEPARTMENT

Salaries & Wages	\$365,820	
Other Expenses	\$189,394	\$555,214

7717 CIVIL SERVICE COMMISSION

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

7721 COUNCIL

Salaries & Wages	\$105,470	
Other Expenses	\$51,845	\$157,315

<u>7731 MUNICIPAL COURT</u>		
Salaries & Wages	\$795,350	
Other Expenses	\$479,672	\$1,275,022
<u>7741 GENERAL ADMINISTRATION</u>		
Other Expenses	\$412,515	\$412,515
<u>7742 PUBLIC LANDS &amp; BUILDINGS</u>		
Salaries & Wages	\$161,464	
Other Expenses	\$411,111	\$572,575
<u>7744 STATUTORY</u>		
Other Expenses	\$359,247	\$359,246.62
<u>7746 ENGINEERING</u>		
Salaries & Wages	\$19,300	
Other Expenses	\$18,482	\$37,782
<u>7761 UNCLAIMED</u>		
Other Expenses	\$5,000	<u>\$5,000</u>
<i>TOTAL GENERAL GOVERNMENT</i>		\$4,802,708.62
TOTAL OPERATIONS		\$15,768,833.70
<u>INTERFUND TRANSFERS &amp; ADVANCES</u>		
to Police Pension Fund	\$419,198	
to Fire Pension Fund	\$467,350	
to LV Perm Improv Tax Inc Fund	\$812,394	
to Permanent Improv Fund	\$350,000	
to Sewer Maintenance Fund	\$0	
to Sewer Construction Fund	\$0	
to Community Center Fund	\$275,000	
to Trust and Agency Fund	<u>\$2,250</u>	
TOTAL INTERFUND TRANSFERS AND ADVANCES		\$2,326,192.00
<b>GRAND TOTAL GENERAL FUND</b>		<b>\$18,095,025.70</b>

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

**210 STATE HIGHWAY FUND**

Other Expenses	\$75,000	\$75,000	
TOTAL STATE HIGHWAY FUND			\$75,000.00

**220 COURT PROBATION SERVICES**

Salaries & Wages	\$26,800		
Other Expenses	\$10,641	\$37,441	
TOTAL COURT PROBATION SERVICES			\$37,441.00

**230 COURT SPECIAL PROJECTS FUND**

Salaries & Wages	\$125,450		
Other Expenses	\$348,269	\$473,719	

**231 COURT SPECIAL PROJECTS IDIAM FUND**

Other Expenses	\$21,000	\$21,000	
TOTAL COURT SPECIAL PROJECTS FUND			\$494,719.00

**240 STREET CONSTRUCTION, MAINT. & REPAIR FUND**

**1141 TRAFFIC SAFETY**

Salaries & Wages	\$67,892		
Other Expenses	\$147,740	\$215,632	

**5552 STORM SEWERS**

Salaries & Wages	\$72,500		
Other Expenses	\$120,801	\$193,301	

**6611 STREETS**

Salaries & Wages	\$215,100		
Other Expenses	\$237,556	\$452,656	

**6621 SNOW REMOVAL**

Salaries & Wages	\$122,000		
Other Expenses	\$247,358	\$369,358	

TOTAL STREET CONSTRUCTION, MAINT & REPAIR FUND			\$1,230,947.00
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**250 COMMUNITY CENTER FUND**

Salaries & Wages	\$163,183		
Other Expenses	\$134,260	\$297,443	

TOTAL COMMUNITY CENTER FUND			\$297,442.82
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**260 COURT EDP FUND**

Salaries & Wages	\$0		
Other Expenses	\$325,984	\$325,984	

TOTAL COURT EDP FUND			\$325,984.00
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**271 COVID 19 RELIEF FUND**

Salaries & Wages	\$0		
Other Expenses	\$0		
Capital Outlay	\$83,500	\$83,500	
<b>TOTAL COVID 19 RELIEF FUND</b>			<b>\$83,500.00</b>

Proposed

**280 DUI/INDIGENT FUND**

Other Expenses	\$50,000	\$50,000	
TOTAL DUI/INDIGENT FUND			\$50,000.00

**290 LAW ENFORCEMENT FUND**

Other Expenses	\$11,000	\$11,000	
TOTAL LAW ENFORCEMENT FUND			\$11,000.00

**291 LAW ENFORCEMENT ESA FUND**

Other Expenses	\$18,650	\$18,650	
TOTAL LAW ENFORCEMENT ESA FUND			\$18,650.08

***TOTAL SPECIAL REVENUE FUNDS*** ***\$2,624,683.90***

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

**310 GENERAL BOND RETIREMENT FUND**

Other Expenses	\$2,567,060	\$2,567,060	
TOTAL GENERAL BOND RETIREMENT FUND			\$2,567,060.00

**320 LV PUBLIC IMPROVEMENT FUND**

Other Expenses	\$431,000	\$431,000	
TOTAL GENERAL LV PUBLIC IMPROV FUND			\$431,000.00

**TOTAL DEBT SERVICE FUNDS** **\$2,998,060.00**

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

**410 PERMANENT IMPROVEMENT FUND**

Capital Outlay	\$843,887	\$843,887	
TOTAL PERMANENT IMPROVEMENT FUND			\$843,887.00

**440 PARKS & RECREATION EQUIPMENT**

Capital Outlay	\$0	\$0	
TOTAL PARKS & RECREATION EQUIPMENT FUND			\$0.00

**450 STREET IMPROVEMENT FUND**

Capital Outlay	\$1,402,302	\$1,402,302	
TOTAL STREET IMPROVEMENT FUND			\$1,402,302.00

**470 CAPITAL RESERVE FUND**

Capital Outlay	\$2,268,800	\$2,268,800	
TOTAL CAPITAL RESERVE FUND			\$2,268,800.00

***TOTAL CAPITAL PROJECTS FUNDS*** ***\$4,514,989.00***

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

**810 STREET LIGHTING FUND**

Other Expenses	\$240,250	\$240,250	
TOTAL STREET LIGHTING FUND			\$240,250.00

**820 SEWER MAINTENANCE & REPAIR FUND**

Salaries & Wages	\$187,290		
Other Expenses	\$108,891		
Capital Outlay	\$324,000	\$620,181	
TOTAL SEWER MAINTENANCE & REPAIR FUND			\$620,181.00

**830 SIDEWALK FUND**

Other Expenses	\$10,011	\$10,011	
TOTAL SIDEWALK FUND			\$10,011.00

**840 SEWER CONSTRUCTION FUND**

Other Expenses	\$18,500		
Capital Outlay	\$621,000	\$639,500	
TOTAL SEWER CONSTRUCTION FUND			\$639,500.00

**850 SHADE TREE FUND**

Salaries & Wages	\$44,800		
Other Expenses	\$51,919	\$96,719	
TOTAL SHADE TREE FUND			\$96,719.00

***TOTAL SPECIAL ASSESSMENT FUNDS*** ***\$1,606,661.00***

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

**710 OTHER TRUST & AGENCY**

Other Expenses	\$167,750	\$167,750	
TOTAL OTHER TRUST & AGENCY FUND			\$167,750.00

**720 POLICE PENSION FUND**

Other Expenses	\$585,860	\$585,860	
TOTAL POLICE PENSION FUND			\$585,860.00

**730 FIRE PENSION FUND**

Other Expenses	\$591,171	\$591,171	
TOTAL FIRE PENSION FUND			\$591,171.00

**790 PETTY CASH FUND**

Other Expenses	\$0	\$0
TOTAL PETTY CASH FUND		<u>\$0.00</u>
<b>TOTAL TRUST &amp; AGENCY FUNDS</b>		<b><u>\$1,344,781.00</u></b>
<b>GRAND TOTAL ALL FUNDS</b>		<b>\$31,184,200.60</b>

**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. 2020-67 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: \_\_\_\_\_  
Clerk of Council
\_\_\_\_\_  
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. 2020-80  
INTRODUCED BY ADMINISTRATION**

**AN ORDINANCE TO REVISE THE CODIFIED ORDINANCES BY ADOPTING  
CURRENT REPLACEMENT PAGES AND DECLARING AN EMERGENCY**

**WHEREAS**, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

**WHEREAS**, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

**WHEREAS**, the City has heretofore entered into a contract with the Walter H. Drane Company to prepare replacement pages to the Codified Ordinances which are before Council; Now, Therefore,

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

**SECTION 1:** The ordinances of the City of Lyndhurst, Ohio, of a general and permanent nature, as revised, recodified, rearranged, and consolidated into component codes, titles, chapters and sections within the 2020 replacement pages to the Codified Ordinances are hereby approved and adopted.

**SECTION 2:** The following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law.

Traffic Code

- 432.41 Wearing Earplugs or Earphones Prohibited. (Amended)
- 436.09 Display of License Plates or Validation Stickers; Temporary License Placard. (Amended)
- 436.091 Operating Without Dealer or Manufacturer License Plates. (Added)
- 442.03 Prerequisites to Operation of a Commercial Motor Vehicle. (Amended)

General Offenses Code

- 624.01 Drug Abuse Control Definitions. (Amended)

**SECTION 3:** The complete text of the sections listed above is set forth in full in the current replacement pages to the Codified Ordinances. Notice of adoption of each new section by reference to its title shall constitute sufficient publication of new matter contained therein.

**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 Municipality and its inhabitants for the reason that there exists an imperative necessity for the earliest publication and distribution of the current replacement pages to the Codified Ordinances to the officials and residents of the Municipality, so as to facilitate administration, daily operation and avoid practical and legal entanglements. Therefore this Ordinance 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 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. 2020-81  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1  
WITH BARBICAS PAVING LLC, FOR THE 2020 ASPHALT  
PROGRAM, AND DECLARING AN EMERGENCY**

**WHEREAS**, the City has previously entered a Contract with Barbicas Paving, LLC, for the 2020 Asphalt Program; and

**WHEREAS**, it is necessary to enter a Change Order as set forth herein due to needed additions to the Contract or unforeseen circumstances associated with the Contract. 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 Barbicas Paving, LLC, for adjusting Catch Basins to grade on Countryside Road for the additional amount of Four Thousand Nine Hundred Dollars and Zero Cents (\$4,900.00), in addition to the Contract heretofore authorized by the Board of Control and this Council, as more fully set forth in Change Order No. 1, dated July 29, 2020, 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

**RESOLUTION NO. 2020-82**  
**INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR SOLID WASTE DISPOSAL AND RECYCLING PROCESSING SERVICES BETWEEN THE CITY OF LYNDHURST AND KIMBLE COMPANY AND DECLARING AN EMERGENCY**

**WHEREAS**, pursuant to Resolution No. 2020-45 and 2020-46, the City of Lyndhurst, participated in the Consortium organized by the Cuyahoga County Solid Waste District and comprised of the communities of Beachwood, Cleveland Heights, Highland Hills, Independence, Lyndhurst, Moreland Hills, Pepper Pike, Shaker Heights, Solon, University Heights and Woodmere, to request bids for the disposal of solid waste and processing of recyclables collected within the participating communities; and

**WHEREAS**, on behalf of the Consortium, the Cuyahoga County Solid Waste District advertised an Invitation to Bid for Solid Waste Disposal and Recycling Processing Services in The Plain Dealer on May 31, 2020 and June 3, 2020; and

**WHEREAS**, on June 26, 2020, bids were received from four (4) companies and publicly opened; and

**WHEREAS**, on July 14, 2020 representatives from the Consortium communities met to review the bids and select the lowest and best bidder; and

**WHEREAS**, following the bid review, the Consortium communities, including the City of Lyndhurst, determined that Kimble Company has submitted the lowest and best bid and therefore it is in the best interest of the City of Lyndhurst to award a contract to Kimble Company for solid waste disposal and recycling processing services for the term to commence October 1, 2020.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Lyndhurst, County of Cuyahoga, and State of Ohio that:

**SECTION 1.** Council hereby approves the recommendation of the Consortium to select the bid submitted by Kimble Company as the lowest and best and to award the contract to Kimble Company to provide solid waste disposal and recycling processing services for the City of Lyndhurst.

**SECTION 2.** Council hereby authorizes the Mayor to deliver to Kimble Company a copy of this Resolution, which will serve as a Notice of Award, and to execute, on behalf of the City of Lyndhurst, the Agreement for Solid Waste Disposal and Recycling Processing Services in a form and under such terms as are substantially similar to that which is attached hereto as Attachment A and incorporated by reference.

**SECTION 3.** The 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 shall hereby be 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 in order to meet contractual requirements for the City. It shall therefore take effect immediately upon the affirmative vote of not less than five 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 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