

**ORDINANCE NO. 2020-84
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING A COMMUNITY
COST-SHARE AGREEMENT BY AND BETWEEN
THE NORTHEAST OHIO REGIONAL SEWER
DISTRICT AND THE CITY OF LYNDHURST FOR
THE 2020 SEWER INSPECTION AND CLEANING
PROGRAM**

WHEREAS, the District, as a component of implementing a regional stormwater management program, manages a financial account termed the Community Cost-Share Account that is for the aggregation and dissemination of funds derived from revenues collected from the Stormwater Fee; and

WHEREAS, one of the purposes of the Community Cost-Share Account is to provide funding to assist the City with District-approved projects through the Community Cost-Share Program; and

WHEREAS, the Community Cost-Share Program funds are used for construction, operation, and maintenance of the Local Stormwater System or Regional Stormwater Sewer System, including administrative costs directly associated with such projects as well as costs related to repair or upgrade; and

WHEREAS, the District supports the Community Cost-Share 2020 Sewer Inspection and Cleaning Program (“Project”) as a Community Cost-Share Project proposed by the City, and requires an Agreement reflecting said support.

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

SECTION 1. The Mayor is hereby authorized and directed to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District, a copy of said Agreement being attached hereto, marked Exhibit “A”, and incorporated herein as if fully rewritten, for the 2020 Sewer Inspection and Cleaning Program.

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 shall be in full force and effect at the earliest time allowed by law.

PASSED: September 8, 2020

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 September 17, 2020 and September 24, 2020.

Clerk of Council

First Reading: September 8, 2020

Second Reading: Suspended

Third Reading: Suspended

Proposed

**ORDINANCE NO. 2020-85
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING A COMMUNITY
COST-SHARE AGREEMENT BY AND BETWEEN
THE NORTHEAST OHIO REGIONAL SEWER
DISTRICT AND THE CITY OF LYN DHURST FOR
THE STORM SEWER INSPECTION CAMERA
PURCHASE PROJECT**

WHEREAS, the District, as a component of implementing a regional stormwater management program, manages a financial account termed the Community Cost-Share Account that is for the aggregation and dissemination of funds derived from revenues collected from the Stormwater Fee; and

WHEREAS, one of the purposes of the Community Cost-Share Account is to provide funding to assist the City with District-approved projects through the Community Cost-Share Program; and

WHEREAS, the Community Cost-Share Program funds are used for construction, operation, and maintenance of the Local Stormwater System or Regional Stormwater Sewer System, including administrative costs directly associated with such projects as well as costs related to repair or upgrade; and

WHEREAS, the District supports the Community Cost-Share Storm Sewer Inspection Camera Purchase (“Project”) as a Community Cost-Share Project proposed by the City, and requires an Agreement reflecting said support.

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

SECTION 1. The Mayor is hereby authorized and directed to enter into a Community Cost-Share Agreement with the Northeast Ohio Regional Sewer District, a copy of said Agreement being attached hereto, marked Exhibit “A”, and incorporated herein as if fully rewritten, for the Storm Sewer Inspection Camera Purchase.

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 shall be in full force and effect at the earliest time allowed by law.

PASSED: September 8, 2020

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 September 17, 2020 and September 24, 2020.

Clerk of Council

First Reading: September 8, 2020

Second Reading: Suspended

Third Reading: Suspended

Proposed

ORDINANCE NO. 2020-86
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE PARTIALLY SUSPENDING THE RULES AND REGULATIONS REGARDING THE SALE, POSSESSION AND CONSUMPTION OF BEER AND WINE AT THE LYNDHURST PARK DURING LYNDHURST HOME DAY FOR 2020 AND DECLARING AN EMERGENCY

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

SECTION 1. Any prior Ordinance to the contrary notwithstanding, the sale, possession and consumption of beer and wine shall be allowed at the Lyndhurst Park during Lyndhurst Home Day 2020, provided such sale, possession and consumption complies with all applicable laws of the State of Ohio.

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, health and safety of the residents of the City of Lyndhurst for the reason that the Ordinance enacted herein is necessary to complete preparations for a successful Home Day event. It shall therefore, take effect immediately upon its passage and approval by the Mayor, otherwise from and after the earliest period allowed by law.

PASSED: September 8, 2020

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 September 17, 2020 and September 24, 2020.

Clerk of Council

First Reading: September 8, 2020

Second Reading: Suspended

Third Reading: Suspended

**ORDINANCE NO. 2020-87
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 2
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 lowering of a storm sewer near 4979 Countryside Road for the additional amount of Two Thousand Six Hundred Twenty Five Dollars and Zero Cents (\$2,625.00,) in addition to the Contract heretofore authorized by the Board of Control and this Council, as more fully set forth in Change Order No. 2, dated August 21, 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: September 8, 2020

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 September 17, 2020 and September 24, 2020.

Clerk of Council

First Reading: September 8, 2020

Second Reading: Suspended

Third Reading: Suspended

Proposed

**RESOLUTION NO. 2020-88
INTRODUCED BY: ADMINISTRATION**

A RESOLUTION ACCEPTING THE AMOUNT AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER

WHEREAS, this Council, in accordance with the provision of law, previously adopted a Tax Budget for the succeeding fiscal year commencing January 1, 2021; and

WHEREAS, the Budget Commission of Cuyahoga County, Ohio has certified its action thereon to this Council together with an estimate by the County Fiscal Officer of the rate of each tax necessary to be levied by this Council and what part thereof is without, and what part within, the ten mill tax limitation. Now, therefore,

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

SECTION 1. The amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted.

SECTION 2. There be and is hereby levied on the tax duplicate of the City of Lyndhurst the rate of each tax necessary to be levied within and without the ten mill limitation, as follows:

SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED BY BUDGET COMMISSION, AND COUNTY FISCAL OFFICER'S ESTIMATED TAX RATE

<i>Fund</i>	<i>Amount to be Derived from Levies Outside 10 Mill Limitation Column II</i>	<i>Amount Approved by Budget Commission Inside 10 Mill Limitation Column IV</i>	<i>County Fiscal Officer's Estimate of Tax Rate to be Levied</i>	
			<i>Inside 10 Mill Limit V</i>	<i>Outside 10 Mill Limit VI</i>
General Fund			0.51	6.89
Bond Retirement Fund			3.00	0.50
Firemen's Pension Fund			0.30	
Police Pension Fund			0.30	
<i>Total</i>	<i>\$0</i>	<i>\$0</i>	4.11	7.39
			TOTAL MILLS	11.50

SECTION 3. The Clerk of this Council be, and she is hereby directed to certify a copy of this Resolution to the County Fiscal Officer of said County.

SECTION 4. 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 5. This Resolution shall take effect from and after the earliest time allowed by law.

PASSED: September 8, 2020

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 September 17, 2020 and September 24, 2020.

Clerk of Council

First Reading: September 8, 2020

Second Reading: Suspended

Third Reading: Suspended

Proposed