

**AN ORDINANCE
AUTHORIZING THE MAYOR AND CHIEF ADMINISTRATIVE
OFFICER TO ENTER INTO A CONTRACT WITH JULIE S.
LINDNER, AICP, TO PROVIDE PROFESSIONAL PLANNING
SERVICES AND DECLARING AN EMERGENCY.**

WHEREAS, the Village, for many years, has received professional planning services on an as needed basis at the request of the Village from Julie S. Lindner, AICP ("Consultant"), and Consultant has admirably and with professional integrity provided valuable planning services to the Village; and

WHEREAS, Consultant has requested an increase in the hourly rate fee for providing such services to be set at One Hundred Dollars (\$100.00) per hour and travel time assessed at one-half the hourly rate and the Chief Administrative Officer has recommended the Village agree to an increase in the hourly rate for the Consultant.

**NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE VILLAGE
OF CHAGRIN FALLS, STATE OF OHIO:**

SECTION 1. That the Mayor and Chief Administrative Officer are authorized and directed to enter into an agreement with Consultant to provide professional planning services on an as needed basis at the request of the Village at the rate of One Hundred Dollars (\$100.00) per hour as a fee for services rendered to the Village and the rate for travel time assessed at Fifty Dollars (\$50.00) per hour as set forth in the Agreement attached hereto and incorporated herein as Exhibit "A".

SECTION 2. That actions of this Council concerning and relating to the passage of this legislation were adopted in lawful meetings of this Council and that all deliberations of this Council and of any of its committees that resulted in such formal action were in compliance with all legal requirements, including Chapter 114 of the Codified Ordinances of the Village of Chagrin Falls.

SECTION 3. That in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls, public notice of this Ordinance shall be given by posting a copy thereof for not less than fifteen (15) days in the Village Hall.

SECTION 4. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health and safety of the inhabitants of the Village and for the further reason that it is necessary for this to take effect before October 1, 2017 when the Consultant has requested the new hourly rate go into effect which is less than

thirty (30) days after adoption of this Ordinance and it is necessary to continue to receive professional planning services in less than thirty (30) days after adoption of this Ordinance; wherefore provided it receives the affirmative vote of at least two-thirds (2/3) of all members elected to Council, this Ordinance shall be in full force and effect from and immediately upon its passage by this Council and approval by the Mayor; otherwise, it shall take effect and be in force after the earliest period allowed by law.

PASSED: September 11, 2017




Karl Maersch, Council President

Submitted to the Mayor for
his approval on this

12 day of September, 2017

Approved by the Mayor this

12 day of September, 2017



Mayor William Tomko

I hereby certify that Ordinance No. 2017-58 was duly enacted on the 11 day of September, 2017, by the Council of the Village of Chagrin Falls and posted in accordance with Section 113.01 of the Codified Ordinances of the Village of Chagrin Falls.



Clerk of Council

EXHIBIT "A"

AGREEMENT FOR PLANNING SERVICES

This Agreement made this the 1st day of October, 2017, by and **BETWEEN THE VILLAGE OF CHAGRIN FALLS, OHIO**, hereinafter referred to as the "Village", 21 West Washington Street, Chagrin Falls, Ohio 44022, and **JULIE S. LINDNER, AICP**, hereinafter referred to as the "Consultant", 7548 Valerie Lane, Hudson, Ohio 44236. In consideration of the mutual agreements set forth below, the parties agree as follows:

I. SCOPE OF SERVICES

The Consultant is authorized to provide professional planning services on an as needed basis at the request of the Village. Services are to be rendered at such times, places and length of duration that are mutually agreeable to both parties.

II. COMPENSATION

In consideration of the performance of the work identified in the Scope of Services, the fee for such services shall be based on the actual time incurred at one hundred dollars (\$100.00) per hour rate. Time for Consultant services will be assessed at half the hourly rate for travel time.

III. METHOD OF PAYMENT

Payment shall be made to the Consultant within thirty (30), days following receipt of an invoice for services performed under this Agreement during the applicable period.

IV. INFORMATION TO BE PROVIDED BY THE VILLAGE

The Village shall provide access to any plans, documents, papers and records that are directly pertinent to the provision of planning services. Additionally, the Village shall be responsible for the cost of mapping or reproduction services beyond incidental photocopying. The Consultant shall first obtain authorization from the Village before incurring expenses for such mapping or reproduction.

V. TERMS AND CONDITIONS

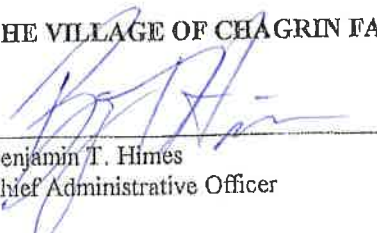
Termination – This contract may be terminated by either party following thirty (30) days written notice.

Effect of Termination – The Consultant shall be entitled to compensation earned prior to the date of termination computed pro rata up to and including that date. The Consultant shall be entitled to no further compensation as of the date of termination.

Conflict of Interest – During the term of this contract, the Consultant is prohibited from providing planning services to any private entity on any existing or planned project within the corporate limits of the Village without prior written approval of the Village.

Upon the authorized signature of both parties to this agreement, **THE VILLAGE OF CHAGRIN FALLS, OHIO** and **JULIE S. LINDNER, AICP**, have executed this contract on the date hereinabove first written.

THE VILLAGE OF CHAGRIN FALLS, OHIO


Benjamin T. Himes
Chief Administrative Officer


William Tomko, Mayor

CONSULTANT


Julie S. Lindner, AICP