

City of Willoughby Hills

ORDINANCE NO. 2018-48

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ACCEPT THE PROPOSAL AS SUBMITTED BY RICHARD L. BOWEN + ASSOCIATES INC. PROVIDING ZONING ADMINISTRATION SERVICES FOR THE CITY OF WILLOUGHBY HILLS, OHIO AND DECLARING AN EMERGENCY.

WHEREAS, the Zoning Administration Project consists of City Engineer Pietro DiFranco to serve as acting Zoning Administrator for the City between January 1, 2019 and June 30, 2019, a total of 26 weeks, with the assistance of Bowen staff as needed; and

WHEREAS, the City Engineer has been performing these duties since the former full-time Zoning Administrator retired on April 13, 2017; and

WHEREAS, the acting Zoning Administrator shall have the powers and duties as listed in Section 1109.02 of the Willoughby Hills Codified Ordinances; and

WHEREAS, the duties of Zoning Administrator will be prioritized based on available time; review and issuance of zoning certificates and permits, and the coordination with PCABR and BZA will have a high priority while addressing general zoning inquiries, complaints and opinions will have secondary priority; and

WHEREAS, Zoning Administration Services will be provided on an as-needed, part-time basis, assuming not more than sixteen (16) hours per week will be demanded; and

WHEREAS, the Zoning Administrator shall have the powers and duties as listed in Section 1109.02 of the Willoughby Hills Codified Ordinances (Ordinance No. 2006-35); and

WHEREAS, excluded from said proposal are the following duties previously performed by the former Zoning Administrator: Building Commissioner/Residential Building Official; Building/Zoning Inspection and Exterior Property Maintenance Inspection & Enforcement (WHCO 1337); and

WHEREAS, based on Section 2.2 and 2.3 of the “*Agreement between City of Willoughby Hills, Ohio & Richard L. Bowen + Associates Inc. for City Engineering Services*”, the Base Professional Services fee is estimated to be:

1.	Consulting Services			\$ 40,768.00
	A.	City Engineer or Assistant City Engineer (16 hrs/week x 26 weeks @ \$98/hr)	\$ 40,768.00	
2.	Normal reimbursable expenses such as travel, reproduction, printing, & shipping will be invoiced at 1.1 times direct cost.			\$ 756.00
Total Base Fee				\$ 41,500.00
Please note, this is an estimate of anticipated hours. Invoices will be based on actual time spent plus normal reimbursable expenses, not to exceed the limits set above without prior authorization.				

NOW THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WILLOUGHBY HILLS, COUNTY OF LAKE, STATE OF OHIO THAT:

SECTION 1. The Mayor is hereby authorized and directed to accept the proposal, dated October 3, 2018, as submitted by Richard L. Bowen + Associates Inc., consisting of three (3) pages, attached hereto as the “Exhibit

A”, providing Zoning Administration Services for the City of Willoughby Hills, between January 1, 2019 and June 30, 2019 (26 weeks) at a total base fee of \$41,500.00.

SECTION 2. The Finance Director is hereby authorized to provide a City-issued purchase order for said authorized expenditure in accordance with the terms and conditions contained in the two-page proposal, dated October 3, 2018, submitted by Richard L. Bowen +Associates Inc. for City Engineering Services, attached hereto as the “**Exhibit A**”.

SECTION 3. The actions of this Council concerning and relating to the passage of legislation were conducted 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 107 of the Codified Ordinances of the City of Willoughby Hills.

SECTION 4. This Ordinance constitutes an emergency measure in that the same provides for the immediate preservation of the public peace, health, safety and welfare of the inhabitants of the City of Willoughby Hills, insofar as it provides for the usual daily operation of the municipality and further reason being that the City’s full-time Zoning Administrator retired in April of 2017, and it’s imperative that the City continues to provide zoning administrative services; wherefore this Ordinance shall be in full force and take effect from and after its adoption and approval by the Mayor.

PASSED: November 8, 2018

Submitted to the Mayor for his approval
on this 8 day of November, 2018

ATTEST:

Victoria Ann Savage
Victoria Ann Savage, CMC
Clerk of Council

Nancy E. Fellows
Nancy E. Fellows
President of Council

Approved by the Mayor

November 8, 2018

Robert M. Weger
Robert M. Weger
Mayor