



AGENDA

COUNCIL MEETING: REGULAR MEETING of the Council of the City of Lyndhurst, **Tuesday, September 6, 2016, at 7:30 P.M.**, Vice Mayor Lane A. Schlessel, presiding.

Members Present: Council Representatives J. A. Marko, J. Price, J. A. Gambatese, S. C. Grushetsky, D. A. Frey, C. A. LoPresti.

Others Present: P. A. Ward, Mayor;
P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
F. E. Glady III, Director of Service;
M. A. Kovalchik, Director of Finance;
J. Maichle, Building Commissioner;
M. J. Carroll, Chief of Fire;
M. A. Franco, Assistant Clerk of Council.

BOARD OF CONTROL:

PLEDGE OF ALLEGIANCE

Minutes: Approve minutes of the Regular Meeting of the Board of Control held Monday, August 1, 2016.

Nuisance Abatement: Review and approve assessments for nuisance abatement.

Monthly Statement by the Finance Director: Review and approve monthly summary statement of revenues and expenditures for the month of July 2016.

Approve Purchase Requisitions: [MOTOROLA SOLUTIONS](#) – 8 Apex portable radios with lapel mics, spare battery and one multi-unit charger – **\$20,830.50**. (Confirming)

[PENN CARE](#) – 2016 Braun Chief XL Ram R5500 Ambulance state bid contract Ohio STS number 233 Contract number 800263 – **\$200,954.00**.

[ABV CONTRACTORS, INC.](#) – Sanitary sewer lateral modifications for 1548 Sunview, 1527 Sunview and 1560 Edgefield. – **\$12,700.00**.

[DAVID WILLIAMS & ASSOCIATES](#) – Two 13' x 25' cantilever shade system and four 15' straight leg permanent benches for Brainard Park dugouts. – **\$13,094.00**.

COUNCIL:

Minutes: Approve Minutes of the Regular Meeting of Council held Monday, August 1, 2016.

Committee Reports:

- MAYOR’S REPORT – MAYOR WARD**
- FINANCE COMMITTEE – MARKO**
- PUBLIC LANDS & BUILDINGS COMMITTEE – PRICE**
- ROADS & UTILITIES COMMITTEE – GAMBATESE**
- SERVICE & SEWERS COMMITTEE – MARKO**
- SAFETY COMMITTEE – LoPRESTI**
- LEGISLATIVE COMMITTEE – FREY**
- PLANNING COMMISSION – FREY**
- SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION (First meeting of the month)**

Requests for additions to the Agenda:

Public Comment:

THIRD READING

**ORDINANCE NO. 2016-52
INTRODUCED BY: ADMIN**

AN ORDINANCE AMENDING SECTION 660.03 OF THE CODIFIED ORDINANCES OF THE CITY WITH REGARD TO LITTERING AND DECLARING AN EMERGENCY

**ORDINANCE NO: 2016-58
INTRODUCED BY: ADMIN**

AN ORDINANCE AMENDING SECTIONS 925.01 AND 925.02 OF CHAPTER 925 OF THE CODIFIED ORDINANCES TO ESTABLISH A RATE AND CHARGE OF RENTS TO BE PAID FOR THE USE OF THE SYSTEM OF SEWERAGE IN THE CITY OF LYNDHURST FOR TAX YEARS 2017, 2018 AND 2019.

**ORDINANCE NO: 2016-59
INTRODUCED BY: ADMIN**

AN ORDINANCE TO PROVIDE FOR THE ASSESSMENT AND MAINTENANCE CHARGE OF THE COST AND EXPENSE OF LIGHTING CERTAIN STREETS, PUBLIC ROADS AND PARTS THEREOF, IN THE CITY OF LYNDHURST FOR THE TAX YEARS 2017, 2018 and 2019 AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2016-60
INTRODUCED BY: ADMIN**

AN ORDINANCE DECLARING THE NECESSITY OF CONTROLLING THE BLIGHT AND DISEASE OF SHADE TREES WITHIN PUBLIC RIGHTS-OF-WAY AND ON PUBLIC PROPERTY AND PROVIDING FOR PLANTING, MAINTAINING, TRIMMING AND REMOVING SHADE TREES IN AND ALONG THE STREETS OF THE CITY OF LYNDHURST; ESTABLISHING A SINGLE DISTRICT FOR THAT PURPOSE IN ACCORDANCE WITH THE PROVISIONS OF SECTION 727.011 OF THE OHIO REVISED CODE; PROVIDING FOR THE ASSESSMENT OF THE COST OF THOSE SERVICES AND DECLARING AN EMERGENCY

**RESOLUTION NO. 2016-61
INTRODUCED BY: ADMIN**

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

**RESOLUTION NO. 2016-62
INTRODUCED BY: ADMIN**

A RESOLUTION REQUESTING THE COUNTY FISCAL OFFICER TO ADVANCE TAXES FROM THE PROCEEDS OF TAX LEVIES PURSUANT TO OHIO REVISED CODE SECTION 321.34

**RESOLUTION NO. 2016-63
INTRODUCED BY: ADMIN**

A RESOLUTION MEMORIALIZING THE FINALIZATION OF THE SAFE ROUTES TO SCHOOLS PROJECT

**ORDINANCE NO. 2016-64
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH LONGO SEWER CONSTRUCTION CO. FOR THE 2015 SEWER REPAIR PROGRAM, AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2016-65
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 2 WITH LONGO SEWER CONSTRUCTION CO. FOR THE 2015 SEWER REPAIR PROGRAM, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2016-66
INTRODUCED BY: ADMIN**

AN ORDINANCE AMENDING SECTION 1385.16 OF THE BUILDING AND HOUSING CODE AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2016-67
INTRODUCED BY: ADMIN**

AN ORDINANCE TO LEVY ASSESSMENTS FOR THE CONSTRUCTION OR REPAIR OF SIDEWALKS ON CERTAIN STREETS IN THE CITY OF LYNDHURST, AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2016-68
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 2 WITH CATTS CONSTRUCTION, INC. FOR THE 2016 CONCRETE PROGRAM AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2016-69
INTRODUCED BY ADMIN**

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

**ORDINANCE NO. 2016-70
INTRODUCED BY: ADMIN**

AN ORDINANCE AMENDING THE RULES AND REGULATIONS FOR THE LYNDBURST COMMUNITY CENTER AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2016-71
INTRODUCED BY: ADMIN**

AN ORDINANCE IMPOSING A MORATORIUM ON GRANTING ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING OR RETAIL SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED SIX MONTHS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, AND DECLARING AN EMERGENCY

**Confirm decision of the Board
of Zoning Appeals:**

Case No. 2016-08

Recommendation made to Council to confirm the decision of the Board in Case No. 2016-08 to **grant** the requested variance of Rick & Amy Dow of 2043 Edenhall Drive from the provisions of Section 1160.04 (6) A of the Planning and Zoning Code. The variance request is to build a one hundred forty (140) square foot storage shed, in lieu of the one hundred twenty (120) square feet allowed.

Case No. 2016-09

Recommendation made to Council to confirm the decision of the Board in Case No. 2016-09 to **deny** requested variance of Kelvin & Saranjit Pungthong of 1091 Haverston Road, for a variance from Section 1329.03 of the Building Code. The variance request is to replace an existing rear and side yard four (4) foot high chain link fence with a six (6) foot high solid wood fence, in lieu of the required fifty (50) percent open fence.

Correspondence:

**Ohio Division of Liquor Control permit for Walgreens,
5644 Mayfield Road.**
