

Lyndhurst, Ohio
April 4, 2016

The Council of the City of Lyndhurst held its Regular Meeting on Monday, April 4, 2016 at 7:34 P.M., Vice Mayor Lane A. Schlessel, presiding.

Members Present: Council Representatives J. A. Marko, J. Price, J. A. Gambatese, 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;
R. Procop, Fire Captain;
J. Maichle, Building Commissioner;
M. A. Franco, Assistant Clerk of Council.

Absent: Council Representative A. Mendelsohn;
M. A. Kovalchik, Director of Finance;
M. J. Carroll, Chief of Fire.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that the reading of the minutes of the Regular Meeting of Council held Monday, March 21, 2016, copies of which were mailed to all Members, be dispensed with and said minutes stand approved as circulated.

The question was put to a voice vote and passed, with Mr. Frey and Mr. Gambatese abstaining.

MAYOR'S REPORT – Mayor Ward stated April is Autism Awareness Month. Mayor Ward said it is important for all to become more aware of this disease and the struggles that people have with any of the broad range of autism spectrum afflictions.

Mayor Ward said awareness will lead us in the direction of acceptance, more compassion, patience and being less judgmental of people with special needs.

Mayor Ward praised the people that work and help people with special needs and connect them to learning and the outside world.

FINANCE COMMITTEE – Chairman Marko had no report.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Price had no report.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese had no report.

SERVICE AND SEWERS COMMITTEE – Chairman Marko had no report.

SAFETY COMMITTEE – Chairman LoPresti reported the Lyndhurst Police Department was fortunate to receive a gift of \$1,500.00 to pay for the acquisition of a protective Canine Ballistic Vest for K-9 Officer Aries. The gift was from the V-Twin Cruisers Motorcycle Club, Northeast Ohio Chapter, whose efforts support Law Enforcement. The check was presented to the Department on March 23rd. The vest will be custom made to Aries' specifications, the manufacturing will take several weeks. We are hopeful once the actual vest is received, members of the Club will come back for additional recognition. It certainly goes without saying that we and Aries are very grateful for this gift.

Mr. LoPresti said 198 heroin related overdose deaths occurred in Cuyahoga County in 2014. Lyndhurst Police Department recognizes this is an ongoing and alarming issue. Lyndhurst patrol officers are now carrying nasal Naloxone or Narcan an antidote to counter the effects of opiate overdoses.

Mr. LoPresti stated the development of the program, purchase of the drug and policy creation was done cooperatively between the Lyndhurst Police Department, the Lyndhurst Fire Department, and Project DAWN. Project DAWN (Deaths Avoided with Naloxone) is MetroHealth's opioid overdose education and naloxone distribution (OEND) program. The cost is approximately \$2,200.00; however, the police department has filed for an available rebate from the Ohio's Attorney General's office, once received it will reduce the cost of the program to approximately \$1,850.00.

LEGISLATIVE COMMITTEE – Chairman Frey had no report.

PLANNING COMMISSION – Mr. Frey had no report; however, he stated there is an Architectural Board of Review meeting scheduled for April 7, 2016 at 7:30PM to discuss signage for the new Hyatt Place at Legacy Village.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – No representative was present.

It was moved by Mr. Marko, seconded by Mr. Frey, that Ordinance Numbers 2016-7 and 2016-8 be removed from table.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance Numbers 2016-7 and 2016-8 are removed from table.

The meeting was opened to public comment.

E. Dale Inkley, 5126 E. Farnhurst inquired if the price of petroleum will affect our recycling program.

Mr. Gladly said our rebates are less; however, the city has a five year contract with Kimble that guarantees we do not pay anything for our recycling.

Vice Mayor Schlessel complimented Mayor Ward on his op-ed regarding the City's Deer Management Program.

**ORDINANCE NO. 2016-7 (AMENDED)
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING SECTION 1110.02 OF THE PLANNING
AND ZONING CODE OF THE CITY TITLED "MEMBERSHIP"**

It was moved by Mr. Marko, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-7 be placed on third reading for final passage.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance No. 2016-7 is passed.

**ORDINANCE NO. 2016-8 (AMENDED)
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING SECTION 1154.02 OF THE PLANNING
AND ZONING CODE OF THE CITY TITLED "ORGANIZATION"**

It was moved by Mr. Frey, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-8 be placed on third reading for final passage.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance No. 2016-8 is passed.

**SECOND READING
ORDINANCE NO. 2016-15
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING TRANSFERS AND ADVANCES AND
DECLARING AN EMERGENCY.**

It was moved by Mr. Marko, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-15 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2016-15 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2016-15 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance No. 2016-15 is passed.

SECOND READING
ORDINANCE NO. 2016-16
INTRODUCED BY: ADMIN

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH WEATHERPROOFING TECHNOLOGIES, INC., FOR THE LYNDBURST SERVICE GARAGE ROOF REPAIR PROJECT, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND DECLARING AN EMERGENCY

It was moved by Mr. Price, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-16 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2016-16 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2016-16 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance No. 2016-16 is passed.

ORDINANCE NO: 2016-17
INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING SECTION 107.06 OF THE CODIFIED ORDINANCES OF THE CITY WITH REGARD TO BIDDING PROCEDURES

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-17 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2016-17 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Marko, that Ordinance No. 2016-17 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance No. 2016-17 is passed.

ORDINANCE NO. 2016-18
INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING SECTION 957.02 OF THE CODIFIED ORDINANCES REGARDING SWIMMING POOL ADMISSION FEES FOR 2016, AND DECLARING AN EMERGENCY

It was moved by Mr. Marko, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-18 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2016-18 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Ordinance No. 2016-18 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance No. 2016-18 is passed.

**RESOLUTION NO. 2016-19
INTRODUCED BY: ADMIN**

**A RESOLUTION ESTABLISHING THE TERMS OF
RECIPROCITY WITH THE CITY OF SOUTH EUCLID DURING THE
2016 POOL SEASON.**

It was moved by Mr. Frey, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2016-19 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Resolution No. 2016-19 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Resolution No. 2016-19 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Resolution No. 2016-19 is adopted.

**ORDINANCE NO. 2016-20
INTRODUCED BY: ADMIN**

**AN ORDINANCE PROVIDING FOR COMPENSATION FOR
SWIMMING POOL PERSONNEL IN 2016 AND REPEALING
ORDINANCE NO. 2015-26.**

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-20 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2016-20 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. LoPresti, that Ordinance No. 2016-20 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance No. 2016-20 is passed.

**ORDINANCE NO. 2016-21
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING PARTICIPATION IN THE OHIO MUNICIPAL LEAGUE WORKERS COMPENSATION GROUP RATING PROGRAM, AUTHORIZING AN AGREEMENT WITH COMP MANAGEMENT INC. AS PART OF PARTICIPATION IN SUCH PROGRAM, AND DECLARING AN EMERGENCY

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-21 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2016-21 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. LoPresti, that Ordinance No. 2016-21 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Ordinance No. 2016-21 is passed.

**RESOLUTION NO. 2016-22
INTRODUCED BY: MAYOR
PATRICK WARD AND ALL
MEMBERS OF COUNCIL**

**A RESOLUTION PROCLAIMING THE MONTH OF APRIL AS
“AUTISM AWARENESS MONTH” IN THE CITY OF LYNDHURST, OHIO,
AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2016-22 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Resolution No. 2016-22 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Resolution No. 2016-22 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Resolution No. 2016-22 is adopted.

**RESOLUTION NO. 2016-23
INTRODUCED BY: ADMIN**

**A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE
BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF
LYNDHURST, OHIO AND THE OHIO PATROLMEN'S BENEVOLENT
ASSOCIATION (FULL-TIME DISPATCHERS), RATIFYING AND APPROVING
THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, AND
DECLARING AN EMERGENCY.**

It was moved by Mr. Frey, seconded by Mr. Marko, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2016-23 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Rules Suspended.

Resolution No. 2016-23 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Resolution No. 2016-23 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Frey, LoPresti, Schlessel.
Nays: None.

Motion carried.
Resolution No. 2016-23 is adopted.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that the meeting be adjourned.

The question was put to a voice vote and passed unanimously.

Meeting adjourned at 7:57 P.M.

Approved: April 18, 2016

Attest: _____
Clerk of Council

Vice Mayor