

Lyndhurst, Ohio
September 19, 2016

The Council of the City of Lyndhurst held its Regular Meeting on Monday, September 19, 2016 at 7:34 P.M., David A. Frey, Acting Chairman, presiding.

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

Others Present: P.A. Ward, Mayor;
R. J. Schmidlin, Jr., Acting Director of Law;
P. A. Rhode, Executive Lieutenant;
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.

Absent: Vice Mayor Lane A. Schlessel;
P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police.

The Oath of Office was administered to Jonathan Romanin, Patrol Officer.

It was moved by Mr. Marko, seconded by Mr. Price, that the reading of the minutes of the Regular Meeting of Council held Tuesday, September 6, 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.

MAYOR'S REPORT – Mayor Ward reported that Hometown was awesome.

Mayor Ward aired Community Shred day is September 24th from 11:30AM until 3:30PM. Council Coffee is October 1st from 9:00AM until 11:00AM and October 5th is the Lyndhurst Business Appreciation Mixer.

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 had no report.

LEGISLATIVE COMMITTEE – Chairman Frey had no report.

PLANNING COMMISSION – Mr. Frey stated the Planning Commission will be meeting Thursday, September 22nd at 7:30PM.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION (First meeting of the month) – No representative was present.

The meeting was opened to public comment.

Eunice Horton, 1121 Brainard, thanked the department heads and employees for the great job running the city and services. Ms. Horton noted all the changes within the City, but stated the one thing that has not changed is Lyndhurst is still a fine community.

Ms. Horton said Homeday is now Homedays and thanks to Shannon Frey the parade is always wonderful.

Ms. Horton noted some Council Meeting have been contentious with protestors, regarding how the City is handling the deer problem. Ms. Horton commends Council and the Mayor how they handle the meetings and responses.

Ms. Horton stated doing your job is not always easy, but thanks Council and the Mayor for the job they do.

Elyzabeth DeGiovanni, 5169 Thornbury, asked how much taxes will increase for the street lighting and sewer assessments.

Mayor Ward explained it would be pennies

Mrs. Kovalchik explained street lighting parcels will show less than a \$2.00 increase. Mrs. Kovalchik said she will email her the exact amount.

Ms. DeGiovanni asked if Council confirms the decision of the Board of Zoning Appeals for 5277 Marian, will it become a 2 family house.

Mayor Ward said it will remain a single family home.

**ORDINANCE NO. 2016-73
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AGREEMENTS AND CONTRACTS WITH VARIOUS INSURANCE CARRIERS RECOMMENDED BY JACKSON, DIEKEN & ASSOCIATES, INC., TO PROVIDE THE NEEDED INSURANCE COVERAGE REQUIRED BY THE CITY OF LYNDHURST 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. 2016-73 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2016-73 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2016-73 be passed.

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

Motion carried.
Ordinance No. 2016-73 is passed.

ORDINANCE NO: 2016-74
INTRODUCED BY: ADMIN

**AN ORDINANCE DETERMINING THE PORTIONS OF THE
SANITARY SEWER ASSESSMENT TO BE ALLOCATED TO EACH SEWER
FUND FOR THE TAX YEAR 2016, IN ACCORDANCE WITH SECTION
925.02(b) OF THE CODIFIED ORDINANCES**

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. 2016-74 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2016-74 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. 2016-74 be passed.

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

Motion carried.
Ordinance No. 2016-74 is passed.

**ORDINANCE NO. 2016-75
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 3 WITH WEATHERPROOFING TECHNOLOGIES, INC., FOR THE LYNDBURST COMMUNITY CENTER ROOF REPAIR PROJECT, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, 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. 2016-75 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2016-75 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. LoPresti, that Ordinance No. 2016-75 be passed.

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

Motion carried.
Ordinance No. 2016-75 is passed.

Recommendation made to Council to confirm the decision of the Board in Case No. 2016-10 to **deny** the requested variance of Henry Miozzi of 5296 Edenhurst Avenue from the provisions of Chapter 1160.04 (2) A & D 1 and 2 of the Planning and Zoning Code to permit parking and/or storing of a commercial vehicle outside at any time in plain view.

The findings in Case No. 2016-10 as recorded in the minutes of the meeting of the Board of Zoning Appeals held September 12, 2016 were read by Mrs. Franco.

Mr. Miozzi stated he is on call 24 hours a day 7 days a week. Mr. Miozzi said the truck is neatly lettered, a nice clean truck.

Mr. Price asked if the vehicle would fit in his garage.

Mr. Miozzi explained his garage is too short.

Mr. LoPresti asked Mr. Miozzi what his plan is if this request is denied.

Mr. Miozzi said he would have to leave the vehicle at the garage in Solon and find transportation to and from.

Mr. LoPresti asked Mr. Miozzi if there is a smaller vehicle he could use.

Mr. Miozzi explained his truck is designed to hold 6 hot water tanks.

It was moved by Mr. Marko, seconded by Mr. Price, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2016-10.

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

Motion carried.

Recommendation made to Council to confirm the decision of the Board in Case No. 2016-11 to **grant** requested variance to Stephen and Annette Johnston of 5277 Marian Drive from Section 1385.05 (b) of the Building Code, to permit a second complete kitchen to be part of the new addition being built at their single family home.

The findings in Case No. 2016-11 as recorded in the minutes of the meeting of the Board of Zoning Appeals held September 12, 2016 were read by Mrs. Franco.

Mr. Johnston explained the addition is for an in-law suite, the home is a multi-generational house, and trying to make the suite as independent as possible.

It was moved by Mr. Marko, seconded by Mr. Price, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2016-11.

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

Motion carried.

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

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

Meeting adjourned at 8:00 P.M.

Approved: October 3, 2016

Attest: _____
Clerk of Council

Vice Mayor