

Lyndhurst, Ohio
November 19, 2018

The Council of the City of Lyndhurst held its Regular Meeting on Monday, November 19, 2018 at 7:32 P.M., Vice Mayor David A. Frey, presiding.

Members Present: Council Representatives L. A. Schlessel, J. A. Gambatese, J. A. Marko, C. A. LoPresti.

Others Present: P. A. Ward, Mayor;
P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
M. J. Carroll, Chief of Fire;
T. Fioritto, Director of Service;
J. Maichle, Building Commissioner;
K. L. Miller, Assistant Clerk of Council.

Absent: Council Representative J. Price;
Council Representative S. Grushetsky;
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Marko, seconded by Mr. Schlessel, that the reading of the minutes of the Regular Meeting of Council held Monday, November 5, 2018, copies of which were distributed 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. LoPresti abstaining.

MAYOR'S REPORT – Mayor Ward announced the Community Partnership on Aging commemorated their 40th anniversary at the 5 Alarm Chili Cook-Off event where each of the 5 CPA Fire Departments entered a chili to be judged. He shared this year for the first time ever, our Lyndhurst Fire entry won the Judge's Choice Award. Mayor Ward expressed the best part was our fire fighters decided to donate back to CPA the cash winnings. He remarked it was a great event and very generous of our fire fighters!

Mayor Ward stated the Second Annual Holiday Concert with the Hillcrest Concert Band will be coming up on Sunday, December 2nd at the Lyndhurst Community Center beginning at 3pm. He commented there will be refreshments and great music.

Mayor Ward mentioned Tuesday, December 4th at 6pm will be the Menorah Lighting on Mayfield Road. He stated the event will take place in front of City Hall and in the Fire Department with entertainment, crafts and refreshments courtesy of Lyndhurst Chabad.

Mayor Ward aired the Annual Holiday Lighting will be Friday, December 7th also at the Fire Station with Santa, horse and wagon rides, refreshments and photo opportunities inside a blow up snow globe.

Mayor Ward indicated there will be plenty of holiday fun coming up and wished everyone a Happy Thanksgiving!

FINANCE COMMITTEE – Chairman Schlessel did not have a report at this time.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Price was absent; therefore, there was no report given.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese did not have anything to report.

SERVICE AND SEWERS COMMITTEE – Chairman Grushetsky was absent; therefore, there was no report given.

SAFETY COMMITTEE – Chairman LoPresti had no formal report; however, he announced there will be a CPR class on December 6th at the Community Center. He also wanted to let everyone know about the Fire Department Smoke Detector Program where they give away smoke detectors if you meet a certain criteria. Mr. LoPresti said to call the fire department if you want to get more information with regard to the smoke detectors.

LEGISLATIVE COMMITTEE – Chairman Marko did not have a report.

PLANNING COMMISSION – Chairman LoPresti stated the commission has not met since the last meeting; therefore, there was no report to be given.

SOUTH EUCLID-LYNDBURST BOARD OF EDUCATION – A representative from the school board was not present.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Resolution Number 2018-94 be added to the Agenda.

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

Motion carried.
Resolution Number 2018-94 is added to the Agenda.

The meeting was opened to public comment.

E. Dale Inkley, 5126 E. Farnhurst, urges Council to support the findings of the Board of Zoning Appeals committee on these two issues tonight. He suggested Council find a way to take the sign away from the shoe store.

SECOND READING:
ORDINANCE NO. 2018-89
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH PARCEL, REQUIRING THE OWNER OF THE IMPROVEMENTS ON SUCH PARCEL TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT

FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, AND RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40, 5709.42 AND 5709.43; AND DECLARING AN EMERGENCY

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-89 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-89 was highlighted by Mrs. Miller, with Section 8 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti that Ordinance No. 2018-89 be passed.

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

Motion carried.
Ordinance No. 2018-89 is passed.

**ORDINANCE NO. 2018-90
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST FOR THE PERIOD ENDING DECEMBER 31, 2018 REPEALING ORDINANCE NO. 2018-80 AND DECLARING AN EMERGENCY

It was moved by Mr. Marko, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-90 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-90 was highlighted by Mrs. Miller, with Section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese that Ordinance No. 2018-90 be passed.

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

Motion carried.
Ordinance No. 2018-90 is passed.

**ORDINANCE NO. 2018-91
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH DONALD J. SCHONHARDT & ASSOCIATES, INC., TO
PROVIDE ASSISTANCE IN THE PREPARATION OF BASIC FINANCIAL
STATEMENTS FOR THE CITY AND DECLARING AN EMERGENCY**

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-91 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-91 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Marko that Ordinance No. 2018-91 be passed.

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

Motion carried.
Ordinance No. 2018-91 is passed.

**ORDINANCE NO. 2018-92
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT
EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST FOR
THE PERIOD BEGINNING JANUARY 1, 2019 AND ENDING MARCH 31, 2019
AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-92 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-92 was highlighted by Mrs. Miller, with Section 10 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. Marko that Ordinance No. 2018-92 be passed.

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

Motion carried.
Ordinance No. 2018-92 is passed.

**ORDINANCE NO. 2018-93
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHANGE ORDER NO. 1 WITH
TEAMCRAFT ROOFING, INC., FOR THE LYNDHURST SERVICE GARAGE
AND WEST ENTRANCE TO CITY HALL ROOF REPAIR PROJECT,
AUTHORIZING THE CLOSEOUT OF SAID CONTRACT AND RELEASE OF THE
RETAINAGE, AND DECLARING AN EMERGENCY**

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-93 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-93 was highlighted by Mrs. Miller, with Section 6 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti that Ordinance No. 2018-93 be passed.

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

Motion carried.
Ordinance No. 2018-93 is passed.

**RESOLUTION NO. 2018-94
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO MAKE APPLICATION
TO THE COUNTY OF CUYAHOGA FOR SUPPLEMENTAL GRANT FUNDING
TO BE USED FOR STOREFRONT IMPROVEMENT WITHIN THE MAYFIELD
ROAD BUSINESS DISTRICT AND DECLARING AN EMERGENCY**

It was moved by Mr. Gambatese, seconded by Mr. Marko, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2018-94 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2018-94 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Resolution No. 2018-94 be adopted.

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

Motion carried.
Resolution No. 2018-94 is adopted.

It was moved by Mr. Marko, seconded by Mr. Gambatese that Traffic Directive #163 be approved with no changes.

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

Motion carried.

Board of Zoning Appeals Recommendation:

It was moved by Mr. Schlessel seconded by Mr. Gambatese, to remove both Cases No. 2018-04 and 2018-05 from table.

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

Motion carried.

It was moved by Mr. Schlessel seconded by Mr. Gambatese, that Council confirm the decision of the Board of Zoning Appeals in both Cases No. 2018-04 and 2018-05 to deny requested variance.

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

Motion carried.

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

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

Meeting adjourned at 7:50 P.M.

Approved: December 3, 2018

Attest: _____
Clerk of Council

Vice Mayor