

Lyndhurst, Ohio
January 20, 2014

The Council of the City of Lyndhurst held its Regular Meeting on Monday, January 20, 2014 at 8:03 P.M., Vice Mayor Joseph A. Marko, presiding.

Members Present: Council Representatives J. A. Gambatese, C. A. LoPresti, P. A. Ward, K. C. Packard, L. A. Schlessel, D. A. Frey.

Others Present: J. M. Cicero, Jr., Mayor;
P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
M. A. Kovalchik, Director of Finance;
L. M. Puskas, Building Inspector;
M. J. Carroll, Chief of Fire;
M. A. Franco, Assistant Clerk of Council.

Absent: F. E. Glady III, Director of Service.

It was moved by Mr. Ward, seconded by Mr. Schlessel, that the reading of the minutes of the Regular Meeting of Council held Monday, January 6, 2014, 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 unanimously.

It was moved by Mr. Ward, seconded by Mr. Packard, that the reading of the minutes of the Special Meeting of Council held Monday, January 6, 2014, 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 unanimously.

MAYOR'S REPORT – Mayor Cicero had no report.

FINANCE COMMITTEE – Chairman Ward had no report.

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

ROADS AND UTILITIES COMMITTEE – Chairman Packard had no report.

SERVICE AND SEWERS COMMITTEE – Chairman Gambatese had no report.

SAFETY COMMITTEE – Chairman LoPresti had no report.

LEGISLATIVE COMMITTEE – Chairman Ward had no report.

PLANNING COMMISSION – Chairman Frey had no report.

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

The Mayor formally introduced the new K9 team, Patrolman Kevin Crown and K9 Aries.

The meeting was opened to public comment.

Ashley Ash, 5148 Eastover, expressed her frustrations regarding after hour noise coming from a nearby party center.

Mayor Cicero and Chief Porrello informed Ms. Ash the City is aware of the situation and the City is taking care of it; however it is a timely process. The Mayor and Chief advised Ms. Ash to keep calling the police so the situations can be documented.

**ORDINANCE NO. 2014-2
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH
DICILLO LANDSCAPE DESIGN, INC., FOR THE 2013 SIDEWALK REPAIR
PROGRAM, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND
DECLARING AN EMERGENCY**

It was moved by Mr. Ward, seconded by Mr. Packard, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2014-2 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2014-2 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Frey, that Ordinance No. 2014-2 be passed.

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

Motion carried.
Ordinance No. 2014-2 is passed

**ORDINANCE NO. 2014-3
INTRODUCED BY: ADMIN**

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND
OTHER EXPENDITURES ON THE CITY OF LYNDHURST FOR THE
PERIOD BEGINNING JANUARY 1, 2014 AND ENDING MARCH 31, 2014
REPEALING ORDINANCE NO. 2013-85 AND DECLARING AN
EMERGENCY**

It was moved by Mr. Ward, seconded by Mr. Packard, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2014-3 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2014-3 was highlighted by Mrs. Franco, with Section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Ordinance No. 2014-3 be passed.

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

Motion carried.
Ordinance No. 2014-3 is passed

**FIRST READING
ORDINANCE NO. 2014-4
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING CHAPTER 123 OF THE CODIFIED
ORDINANCES OF THE CITY ENTITLED "ORDINANCES AND
RESOLUTIONS", AND DECLARING AN EMERGENCY**

It was moved by Mr. Ward, seconded by Mr. Packard, that Ordinance No. 2014-4 be placed on first reading.

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

Motion carried.
Ordinance No. 2014-4 is placed on first reading.

**RESOLUTION NO. 2014-5
INTRODUCED BY: ADMIN**

A RESOLUTION EXPRESSING COMMENDATION AND SINCERE APPRECIATION TO WILLIAM TAMERLANO FOR LONG AND FAITHFUL SERVICE RENDERED FOR AND ON BEHALF OF THE CITIZENS OF THE CITY OF LYNDHURST, OHIO

It was moved by Mr. Ward, seconded by Mr. Packard, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2014-5 be placed on second and third reading for final adoption and that it be read in its entirety.

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

Motion carried.
Rules Suspended.

Resolution No. 2014-5 was read in its entirety by Mrs. Franco.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Resolution No. 2014-5 be adopted.

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

Motion carried.
Resolution No. 2014-5 is adopted.

Board of Zoning Appeals Recommendations:

Recommendation made to Council to confirm the decision of the Board in Case No. 2014-01 to **grant** requested variance to Pat Perrino, Acacia Signature Homes, for a six (6) foot front setback variance for a home located at 590 Eagle Point Drive, for the provisions of Section 1161.11 (n) (1) of the Planning and Zoning Code, to allow the front setback of a new proposed single family home, under construction, to be nineteen (19) feet in lieu of the required twenty-five (25) feet.

The findings in Case No. 2014-01 as recorded in the minutes of the meeting of the Board of Zoning Appeals held January 13, 2014 were read by Mrs. Franco.

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2014-01 with the following conditions:

1. That the City's engineer, Chagrin Valley Engineering, be contacted for their opinion regarding utility easement on this property.
2. That the house to the south of the property in question be reconfigured so the garage is on the opposite side than originally planned.

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

Motion carried.

It was moved by Mr. Ward, seconded by Mr. Packard, that the meeting be adjourned.

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

Approved: February 3, 2014

Meeting adjourned at 8:23 P.M.

Attest: _____
Clerk of Council

Vice Mayor