

Lyndhurst, Ohio
March 17, 2014

The Council of the City of Lyndhurst held its Regular Meeting on Monday, March 17, 2014 at 8:02 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;
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;
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Gambatese, seconded by Mr. Frey, that the minutes of the Regular Meeting of Council held Monday, March 3, 2014, be amended to add the following written statement read by Mr. Gambatese:

Mr. Ward assigned me to a committee when he became Vice Mayor in 2013, however he never came to me and asked me if I like to head this committee and also he never shared what his plans were. So with him not speaking to me and no direction I did my best to provide him with the appropriate information.

I provided on February 04, 2013 the benefits of a Performance Audit and on February 18, 2013 provided a list of performance audits done in Cuyahoga County and other areas.

June 3, 2013 I read the following statement.

With my preliminary discussion with the Auditor of the State's office they are requesting a commitment from the city council before they will come out and answer any further questions. That is why I asked the Finance Committee to be the committee to run the meeting, because all council members are on this committee and would require their approval if any money is to be appropriated. I am more than happy to chair the AD HOC committee, but I will only do it if all members of council are included. So what would you like Mr. Ward, handle this through the Finance Committee or through the AD HOC committee?

So when Mr. Ward failed to respond I told him that I am going to push this back to the Finance committee and ask that I be taken off the agenda and the AD HOC committee.

Roll Call: Yeas: Ward, Packard, Gambatese, Frey, LoPresti, Marko.
Nays: Schlessel.

Motion carried.

It was moved by Mr. Ward, seconded by Mr. Packard, that the reading of the minutes of the Regular Meeting of Council held Monday, March 3, 2014, be approved as amended.

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

MAYOR'S REPORT – Mayor Cicero had no report.

FINANCE COMMITTEE – Chairman Ward stated the committee met prior to the Council Meeting and minutes will be forthcoming.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Schlessel stated the committee will meet April 3rd prior to the Council Meeting to discuss reciprocity.

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 meeting was opened to public comment.

E. Dale Inkley, 5126 E. Farnhurst, inquired if the failed engine was on the truck or the chipper.

Mr. Ward informed him the engine on the truck failed.

Mr. Inkley asked if it was due to long term decay.

Mr. Ward informed Mr. Inkley the truck is a 2006 model year.

SECOND READING
ORDINANCE NO. 2014-15
INTRODUCED BY: ADMIN

**AN ORDINANCE AMENDING SECTION 1168.03 OF THE ZONING
CODE OF THE CITY TITLED “SCHEDULE OF PERMITTED BUILDING AND
USES”**

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Ordinance No. 2014-15 be placed on second reading.

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

Motion carried.
Ordinance No. 2014-15 is placed on second reading.

SECOND READING
ORDINANCE NO. 2014-16
INTRODUCED BY: ADMIN

**AN ORDINANCE AMENDING SECTION 1168.06 OF THE ZONING
CODE OF THE CITY TITLED “SCHEDULE OF AREA, YARD AND HEIGHT
REGULATIONS”**

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Ordinance No. 2014-16 be placed on second reading.

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

Motion carried.
Ordinance No. 2014-16 is placed on second reading.

SECOND READING
ORDINANCE NO. 2014-17
INTRODUCED BY: ADMIN

**AN ORDINANCE AMENDING SECTION 1150.09 OF THE ZONING
CODE OF THE CITY TITLED “DEFINITIONS”**

It was moved by Mr. Ward, seconded by Mr. Packard, that Ordinance No. 2014-17 be placed on second reading.

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

Motion carried.
Ordinance No. 2014-17 is placed on second reading.

SECOND READING
ORDINANCE NO. 2014-18
INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING SECTION 1150.09 OF THE ZONING CODE OF THE CITY TITLED "DEFINITIONS"

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Ordinance No. 2014-18 be placed on second reading.

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

Motion carried.
Ordinance No. 2014-18 is placed on second reading.

SECOND READING
ORDINANCE NO. 2014-19
INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING THE ZONE MAP OF THE CITY OF LYN DHURST, OHIO, SO AS TO REZONE PERMANENT PARCEL NUMBERS 713-07-002, 003, 004 AND 005, AND 713-08-002, 003, 005, 006, 007, 008, 009, 010, 011, 012, 013 AND 014, FROM THEIR CURRENT CLASS A- COMMUNITY BUSINESS DISTRICT TO CLASS B- COMMUNITY BUSINESS DISTRICT, IN THE CITY OF LYN DHURST, OHIO

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Ordinance No. 2014-19 be placed on second reading.

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

Motion carried.
Ordinance No. 2014-19 is placed on second reading.

**ORDINANCE NO. 2014-20
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING TRANSFERS AND ADVANCES 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. 2014-20 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. 2014-20 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Ordinance No. 2014-20 be passed.

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

Motion carried.
Ordinance No. 2014-20 is passed

**ORDINANCE NO. 2014-21
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING THE MAYOR TO CONTINUE THE
AGREEMENT WITH A&S ANIMAL CONTROL, INC. TO PROVIDE FOR
ANIMAL CONTROL SERVICES IN THE CITY OF LYNDHURST, AND
DECLARING AN EMERGENCY.**

It was moved by Mr. Ward, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2014-21 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.

Mr. Frey inquired if the City has received any feedback regarding A&S Animal Control.

Mayor Cicero stated he has not heard any negative feedback. The guidelines are the same as when the City had someone on staff.

Ordinance No. 2014-21 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Ordinance No. 2014-21 be passed.

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

Motion carried.
Ordinance No. 2014-21 is passed

**RESOLUTION NO. 2014-22
INTRODUCED BY: ADMIN**

**A RESOLUTION AUTHORIZING THE CITY OF LYNDHURST, OHIO
TO PARTICIPATE IN THE OHIO DEPARTMENT OF TRANSPORTATION'S
BULK ROAD SALT PROGRAM FOR THE 2014-15 WINTER SEASON, 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 Resolution No. 2014-22 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2014-22 was highlighted by Mrs. Franco, with Section 7 being read in its entirety.

Mr. Ward stated the new contract will commit the City to 90% of the agreed tonnage, the State hopes for lower pricing with larger commitments.

Mr. Marko asked if we will be able to get timely deliveries from Morton.

Mayor Cicero said with the higher commitment he hopes delivery will be timelier.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Resolution No. 2014-22 be adopted.

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

Motion carried.
Resolution No. 2014-22 is adopted.

ORDINANCE NO. 2014-23
INTRODUCED BY: ADMIN

**AN ORDINANCE PROVIDING FOR COMPENSATION FOR
SWIMMING POOL PERSONNEL AND REPEALING ORDINANCE
NO. 2013-23.**

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. 2014-23 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. 2014-23 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Ordinance No. 2014-23 be passed.

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

Motion carried.
Ordinance No. 2014-23 is passed

ORDINANCE NO. 2014-24
INTRODUCED BY: ADMIN

**AN ORDINANCE AMENDING SECTION 957.02 OF THE
CODIFIED ORDINANCES REGARDING SWIMMING POOL
ADMISSION FEES**

It was moved by Mr. Packard, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2014-24 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. 2014-24 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Ordinance No. 2014-24 be passed.

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

Motion carried.
Ordinance No. 2014-24 is passed

In response to request for same, it was moved by Mr. Packard, seconded by Mr. Ward, that the Clerk be and she is hereby authorized and directed to advertise for bids for one 41,000 GVRW dump truck chassis.

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

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

Approved: April 7, 2014

Meeting adjourned at 8:21 P.M.

Attest: _____
Clerk of Council

Vice Mayor