

Lyndhurst, Ohio
April 7, 2014

The Council of the City of Lyndhurst held its Regular Meeting on Monday, April 7, 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;
M. A. Kovalchik, Director of Finance;
M. J. Carroll, Chief of Fire;
M. A. Franco, Assistant Clerk of Council.

Absent: F. E. Glady III, Director of Service;
L. M. Puskas, Building Inspector.

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 17, 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 reported Eggshelland will be returning to Lyndhurst April 12th through the 19th. April 13th from 8:30AM – 1:30PM the City of Lyndhurst will be sponsoring a pancake breakfast with the Bunny to benefit the American Cancer Association, Relay for Life. The Applications for Live Long Lyndhurst Egg Run are available at City Hall and on-line. Mayor Cicero challenged all of Council to participate in the Live Long Lyndhurst Egg Run.

FINANCE COMMITTEE – Chairman Ward aired April 21st at 7:30PM there will be an Open Meeting of the Finance Committee to invite comments from the Public and to discuss Ordinance 2014-25.

Mr. Gambatese inquired about future meetings.

Mr. Ward informed Mr. Gambatese after the approval of the language, there will be community meetings scheduled.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Schlessel stated the committee met this evening prior to the Council Meeting. The committee recommends continuing reciprocity with South Euclid.

ROADS AND UTILITIES COMMITTEE – Chairman Packard had no report; however, Mr. Packard challenged Council to join him and his family for the Live Long Lyndhurst Egg Run.

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 stated he was unable to attend the Planning Commission Meeting and asked that Mr. Ward present the report; however, Mr. Frey aired Monday, May 19th at 7:30 PM there will be a Public Hearing regarding Ordinance Numbers 2014-15, 2014-16, 2014-17, 2014-18 and 2014-19.

Mr. Ward reported the Planning Commission met and their recommendation is to approve the suggested changes to the Zoning Code.

Approve Recommendation of the Planning Commission:

Recommendation is made to Council to **approve** proposed ordinances:

Ordinance 2014-15 Amending Section 1168.03 of the Zoning Code of the City titled “Schedule of Permitted Buildings and Uses.”

Ordinance 2014-16 Amending Section 1168.06 of the Zoning Code of the City titled “Schedule of Area, Yard and Height Regulations.”

Ordinance 2014-17 Amending Section 1150.09 of the Zoning Code of the City titled “Definitions.”

Ordinance 2014-18 Amending Section 1150.09 of the Zoning Code of the City titled “Definitions.”

Ordinance 2014-19 Amending the zone map of the City of Lyndhurst, 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 Lyndhurst, Ohio.

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Council approve the recommendation of the Planning Commission to approve Ordinance 2014-15, Ordinance 2014-16, Ordinance 2014-17, Ordinance 2014-18, and Ordinance 2014-19.

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

Motion carried.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – Lisa Marko reported the following:

Positive student achievement or activity item:

Brush Art Students Receive State and Regional Art Honors - The Ohio Governor's Youth Art Exhibition is an annual event showcasing 300 pieces of art created by high school students from across the State of Ohio. We would like to congratulate Hannah Imel, whose piece was awarded and will be on display at the James A. Rhodes State Office Tower in Columbus, Ohio from April 13th to May 15th.

Brush Students Compete in FIRST Robotics Competition

Brush students Dominic Del Balso, Scott Karn and Hailey Hoyat put their scientific and collaborative skills to the test at the 13th Annual Buckeye Regional FIRST Robotics Competition, which took place March 20-22 at Cleveland State University's Wolstein Center in downtown Cleveland.

Brush Advances to State Auto Skills Competition

Brush High School will be represented at the Ford/AAA Student Auto Skills State Hands-on Competition on Thursday, May 8, 2014, it was one of the top performing schools on the written exam portion of the contest.

Memorial Junior High Hosts First Annual Science Fair

All seventh and eighth grade students at Memorial Junior High were scientists for a day, as the school hosted its First Annual Science Fair from 5 PM to 8 PM on Thursday, March 13th.

Update on Superintendent Activities

Mrs. Reid, Dr. Motley and our Administration team has been very busy working on our new school schedule. This is a direct result of teacher contract negotiations that gave us 20 more minutes of teaching time. The Superintendent continues to make strides in getting our district where we need to be to show the improvement our communities must see.

State or Federal initiative

The district will need to make up one snow day and that is slated for June 13 the day after the last day of school. We are also looking at blizzard bags and online activities to implement in the next school year

Finish with a positive -

Spring Musical the MUSIC MAN is April 11, 12, 13 at the PAC- tickets are assigned seating so download your order form from the website and send it in.

Mr. Schlessel inquired of any information on the busing garage.
Ms. Marko said she believes the temporary one is in place, but there is not any permanent plan in place.

The meeting was opened to public comment.

Richard Clark, 5347 Chickadee, stated through conversations with his friends throughout Lyndhurst he has invited them to attend meetings regarding the tax issue. Mr. Clark passed along a compliment from a neighbor that used the EMS Service in Lyndhurst recently.

E. Dale Inkley, 5126 E. Farnhurst, suggested the City tax the elderly.

Mr. Schlessel stated the Business Expo will be held May 8th, from 3:00PM – 7:00PM, 700 Beta Drive.

Mr. Ward aired April 13th from 8:30AM – 1:30PM the City of Lyndhurst will be sponsoring a pancake breakfast with the Bunny to benefit the American Cancer Association, Relay for Life Team.

Mr. Marko recognized the fire department for their achievement at the Terminal Tower Climb. The Fire Department has come in first place for the last 2 years.

THIRD 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 tabled.

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

Motion carried.
Ordinance No. 2014-15 is tabled.

THIRD 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 tabled.

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

Motion carried.
Ordinance No. 2014-16 is tabled.

THIRD 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 tabled.

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

Motion carried.
Ordinance No. 2014-17 is tabled.

THIRD 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 tabled.

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

Motion carried.
Ordinance No. 2014-18 is tabled.

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

AN ORDINANCE AMENDING THE ZONE MAP OF THE CITY OF LYNDHURST, 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 LYNDHURST, OHIO

It was moved by Mr. Ward, seconded by Mr. Frey, that Ordinance No. 2014-19 be tabled.

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

Motion carried.
Ordinance No. 2014-19 is tabled.

FIRST READING
ORDINANCE NO. 2014-25
INTRODUCED BY: ALL
MEMBERS OF COUNCIL

AN ORDINANCE AMENDING CHAPTER 791 OF THE CODIFIED ORDINANCES OF THE CITY OF LYNDHURST ENTITLED "EARNED INCOME TAX" BY INCREASING THE RATE OF MUNICIPAL INCOME TAX SET IN SECTION 791.03 THEREOF FROM ONE AND ONE HALF PERCENT (1 1/2%) PER YEAR TO TWO PERCENT (2%) PER YEAR, PROVIDING FOR SUBMISSION OF THE AMENDMENT TO THE ELECTORS OF THE CITY, AND DECLARING AN EMERGENCY

It was moved by Mr. Schlessel, seconded by Mr. Frey, that Ordinance No. 2014-25 be placed on first reading.

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

Motion carried.
Ordinance No. 2014-25 is placed on first reading.

ORDINANCE NO. 2014-26
INTRODUCED BY: ADMIN

**AN ORDINANCE TO LEVY ASSESSMENTS FOR THE
CONSTRUCTION OR REPAIR OF SIDEWALKS ON CERTAIN STREETS IN
THE CITY OF LYNDBURST 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. 2014-26 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. 2014-26 was highlighted by Mrs. Franco, with Section 5 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Frey, that Ordinance No. 2014-26 be passed.

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

Motion carried.
Ordinance No. 2014-26 is passed

RESOLUTION NO. 2014-27
INTRODUCED BY: ADMIN

**A RESOLUTION URGING OHIO VOTERS TO SUPPORT STATE ISSUE
1, RENEWAL OF THE STATE CAPITAL IMPROVEMENTS PROGRAM, ON
THE MAY 6, 2014 BALLOT**

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 Resolution No. 2014-27 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. 2014-27 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Resolution No. 2014-27 be adopted.

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

Motion carried.
Resolution No. 2014-27 is adopted.

Correspondence from the Ohio Division of Liquor Control for a new permit for Hospitality Partners Inc., DBA Old Carolina Barbecue Company, 5100 Mayfield Road, was noted with no hearing being requested.

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.

Approved: April 21, 2014

Meeting adjourned at 8:41 P.M.

Attest: _____
Clerk of Council

Vice Mayor