

Lyndhurst, Ohio  
November 3, 2014

The Council of the City of Lyndhurst held its Regular Meeting on Monday, November 3, 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, J. Price, 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. Franco, Assistant Clerk of Council.

Absent: M. A. Kovalchik, Director of Finance;  
F. E. Glady III, Director of Service;  
L. M. Puskas, Building Inspector;  
M. J. Carroll, Chief of Fire.

It was moved by Mr. Ward, seconded by Mr. Schlessel, that the reading of the minutes of the Regular Meeting of Council held Monday, October 20, 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, with Mr. Gambatese abstaining.

**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 Price had no report.

**SERVICE AND SEWERS COMMITTEE** – Chairman Gambatese had no report.

**SAFETY COMMITTEE** – Chairman LoPresti had no report.

**LEGISLATIVE COMMITTEE** – Chairman Ward stated he distributed the following minutes to all members of Council:

The Legislative Committee met Monday, October 20, 2014 at 7:15 pm. Present were committee members Schlessel, Price and Ward. Also present were Council Representatives Frey, LoPresti and Marko, Mayor Cicero, Law Director Murphy, Chief Porrello and Chief Carroll. The purpose of the meeting was to discuss Group Homes/Community homes.

Over the past several months the Building Department has identified additional “Group of Community Home” facilities operating in the City. There are currently 8 that have been identified and registered. Council asked the Director of Law to research the City’s rights, obligations and protections under the law.

Mr. Murphy presented a packet of research data for review. The discussion centered around that packet of information and the balance that must be maintained between the rights of individuals with disabilities as well as the rights of the other members of a community. There are certain, and a very limited number, of ways a Community can regulate this allowed activity that falls under the protection of either state or federal housing laws. It is, however, in the City’s best interest to identify the ways that the residents of these facilities as well as the community as a whole are protected.

Mr. Murphy was requested to review the City’s regulations, Ordinances and processes and make suggestions on how they can be strengthened in this regard. Once that data is available the Committee will meet again to review the results and make recommendations to Council.

With no further business to discuss the meeting adjourned at 7:55 pm.

Mr. Ward recommended Council pass the Legislation on the Agenda regarding Group Homes.

**PLANNING COMMISSION** – Mr. Frey had no report.

**SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION** – Ori Akrish explained 90/90/90 Schools.

Mr. Akrish stated Lowden property is not for sale.

Mr. Akrish said there has been issues with Brush student’s behavior after school hours and the district, Lyndhurst Police Department and South Euclid Police Department have been working together to solve these issues.

Mr. Akrish said Greenview was chosen to visit the White House and have lunch with First Lady Michelle Obama.

Mr. Akrish stated the Brush High School Band and Cheerleaders were featured on Kickin it with Kenny on Fox 8, they performed in front of the Rock Hall.

Mr. Akrish stated the Science Labs at Memorial are now completed.

Mr. Frey aired Brush Drama Club Production of “12 Angry Jurors” is scheduled for Friday and Saturday night at 7:00PM.

The meeting was opened to public comment.

Marge Cirillo, 5173 Graham, asked the name and position of the gentlemen that spoke from the school board.

Elyzabeth DeGiovanni, 5169 Thornbury, asked when the citizens would be privy to more information regarding the purchase of property that was discussed in executive session, and if eminent domain is involved.

Mr. Murphy explained at this time no further information is available.

Ms. DeGiovanni inquired if the school buses would be moved to their permanent garage soon?

Mr. Akrish stated the new garage is currently being built, but does not have the completion date as of yet.

Mr. Ward said don't forget to vote, tomorrow is Election Day.

**THIRD READING**  
**ORDINANCE NO. 2014-64**  
**INTRODUCED BY:**  
**COUNCILMAN WARD**

**AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY ENTITLED "ANIMALS" BY AMENDING SECTION 618.24, AND DECLARING AN EMERGENCY**

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Ordinance No. 2014-64 be passed.

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

Motion carried.  
Ordinance No. 2014-64 passed.

**ORDINANCE NO. 2014-72**  
**INTRODUCED BY: ADMIN**

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LYNDBURST FOR THE PERIOD ENDING DECEMBER 31, 2014 REPEALING ORDINANCE NO. 2014-65 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. 2014-72 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2014-72 was highlighted by Mrs. Franco, with Section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Ordinance No. 2014-72 be passed.

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

Motion carried.  
Ordinance No. 2014-72 is passed

**ORDINANCE NO. 2014-73  
INTRODUCED BY: COUNCILMAN  
PATRICK A. WARD**

**AN ORDINANCE DETERMINING TO ESTABLISH A MINIMUM  
DISTANCE BETWEEN ANY ASSISTED LIVING FACILITY, GROUP  
RESIDENTIAL FACILITY, GROUP HOME OR COMMUNITY HOME IN THE  
CITY, AND DECLARING AN EMERGENCY**

It was moved by Mr. Ward, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2014-73 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2014-73 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Ordinance No. 2014-73 be passed.

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

Motion carried.  
Ordinance No. 2014-73 is passed

It was moved by Mr. Ward, seconded by Mr. LoPresti that Traffic Directive #154 be noted with no changes.

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

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

Approved: November 17, 2014

Meeting adjourned at 8:17 P.M.

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Vice Mayor