



AGENDA

COUNCIL MEETING: **REGULAR MEETING** of the Council of the City of Lyndhurst, **Monday, October 5, 2015, at 7:30 P.M.**, Vice Mayor Lane A. Schlessel, presiding.

Members Present: Council Representatives J. A. Gambatese, C. A. LoPresti, J. A. Marko, P. A. Ward, J. Price, D. A. Frey.

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

BOARD OF CONTROL:

PLEDGE OF ALLEGIANCE

Minutes: Approve minutes of the Regular Meeting of the Board of Control held Monday, September 21, 2015.

Nuisance Abatement: Review and approve assessments for nuisance abatement.

Approve Purchase Requisitions: [ROLLNROCK HOSE MANAGEMENT SYSTEM](#) – Efficiency package with GO-Pack and RollNRack unit - **\$9,935.00.**

[BLANKET VENDOR](#) – Gasoline and diesel fuel for fourth quarter 2015 - **\$43,300.00.**

COUNCIL:

Swearing In: Firefighter/Medic, Richard Penicka
Firefighter/Medic, Derek Zaharewicz

Minutes: Approve Minutes of the Regular Meeting of Council held Monday, September 21, 2015.

Approve Minutes of the Special Session of Council held Monday, September 21, 2015.

Committee Reports:

MAYOR'S REPORT – MAYOR CICERO

FINANCE COMMITTEE – WARD

**PUBLIC LANDS & BUILDINGS COMMITTEE –
WARD**

**ROADS & UTILITIES COMMITTEE –
GAMBATESE**

**SERVICE & SEWERS COMMITTEE –
PRICE**

SAFETY COMMITTEE – LoPRESTI

LEGISLATIVE COMMITTEE – MARKO

PLANNING COMMISSION – FREY

**SOUTH EUCLID-LYNDHURST BOARD OF
EDUCATION (First meeting of the month)**

**Requests for additions to
the Agenda:**

Public Comment:

THIRD READING

**ORDINANCE NO. 2015-66
INTRODUCED BY: ADMIN**

**AN ORDINANCE ENACTING SECTION
1150.09(c)(63A) OF THE ZONING CODE OF THE
CITY titled “DEFINITIONS”**

THIRD READING

**ORDINANCE NO. 2015-67
INTRODUCED BY: ADMIN**

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

THIRD READING

**ORDINANCE NO: 2015-68
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING SECTION 1176.07(c)
OF THE ZONING CODE OF THE CITY ENTITLED
“OTHER PROHIBITED USES”**

SECOND READING

**ORDINANCE NO. 2015-76
INTRODUCED BY:
COUNCILMAN SCHLESSEL**

**AN ORDINANCE AMENDING CHAPTER
1160.04(a)(2) OF THE CODIFIED ORDINANCES OF
THE CITY ENTITLED “PARKING OF
COMMERCIAL VEHICLES”**

**RESOLUTION NO. 2015-80
INTRODUCED BY: MAYOR
CICERO AND ALL
MEMBERS OF COUNCIL**

**A RESOLUTION EXPRESSING COMMENDATION
AND SINCERE APPRECIATION TO DAVE HOLTZ
FOR HIS LONG AND FAITHFUL SERVICE FOR
AND ON BEHALF OF THE CITIZENS OF THE
CITY OF LYNDBURST AS A MEMBER OF THE
FIRE DEPARTMENT**

**ORDINANCE NO. 2015-81
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING CHANGE
ORDER NO. 1 WITH ULLMAN ELECTRIC CO. FOR
THE CITY HALL STANDBY POWER SYSTEM,
AUTHORIZING THE CLOSEOUT OF SAID
CONTRACT, AND DECLARING AN EMERGENCY**

**ORDINANCE NO: 2015-82
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING ORDINANCE NO.
2015-15 WHICH ESTABLISHED THE SALARY,
COMPENSATION, AND HOURLY RATES OF PAY
FOR NON-BARGAINING EMPLOYEES IN THE
VARIOUS OFFICES AND DEPARTMENTS,
INCLUDING MEMBERS OF BOARDS AND
COMMISSIONS, AND WHICH CONFIRMED
LONGEVITY COMPENSATION, VACATIONS,
HOLIDAYS AND OTHER BENEFITS, IN THE CITY
OF LYNDBURST, OHIO, REPEALING CERTAIN
SECTIONS OF ORDINANCE NO. 2015-15
INCONSISTENT HEREWITH, AND DECLARING
AN EMERGENCY**

**ORDINANCE NO. 2015-83
INTRODUCED BY: ADMIN**

**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**

**ORDINANCE NO. 2015 - 84
INTRODUCED BY: ADMIN**

**TO MAKE APPROPRIATIONS FOR CURRENT
EXPENSES AND OTHER EXPENDITURES OF THE
CITY OF LYNDBURST FOR THE PERIOD ENDING
DECEMBER 31, 2015 REPEALING ORDINANCE
NO. 2015-75 AND DECLARING AN EMERGENCY.**

**RESOLUTION NO. 2015-85
INTRODUCED BY: ADMIN**

**A RESOLUTION DECLARING THE REAL
PROPERTY KNOWN AS CUYAHOGA COUNTY
AUDITOR'S PERMANENT PARCEL NO. 711-16-060
TO BE A NUISANCE, AUTHORIZING THE MAYOR
TO ENTER INTO A CONTRACT FOR THE WORK
NECESSARY TO ABATE THE NUISANCE, AND
DECLARING AN EMERGENCY**

**RESOLUTION NO. 2015-86
INTRODUCED BY: ADMIN**

A RESOLUTION DECLARING THE REAL PROPERTY KNOWN AS CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NO. 711-13-111 TO BE A NUISANCE, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE WORK NECESSARY TO ABATE THE NUISANCE, AND DECLARING AN EMERGENCY

**RESOLUTION NO. 2015-87
INTRODUCED BY: ADMIN**

A RESOLUTION DECLARING THE REAL PROPERTY KNOWN AS CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NO 711-01-012 TO BE A NUISANCE, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE WORK NECESSARY TO ABATE THE NUISANCE, AND DECLARING AN EMERGENCY

**RESOLUTION NO. 2015-88
INTRODUCED BY: ADMIN**

A RESOLUTION DECLARING THE REAL PROPERTY KNOWN AS CUYAHOGA COUNTY AUDITOR'S PERMANENT PARCEL NO. 711-17-072 TO BE A NUISANCE, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE WORK NECESSARY TO ABATE THE NUISANCE, AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2015-89
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH A&J CEMENT CONTRACTORS, INC., FOR THE 2015 CONCRETE PROGRAM AND DECLARING AN EMERGENCY

**ORDINANCE NO. 2015-90
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 2 WITH A&J CEMENT CONTRACTORS, INC., FOR THE 2015 CONCRETE PROGRAM, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND DECLARING AN EMERGENCY

**Planning Commission
Decision:**

Proposed Ordinance No. 2015-66

Recommendation made to Council to amend proposed Ordinance Number 2015-66, Section 1150.09 (c) (63A) to read: "Fueling Station" means a building or part of a building, or a structure or space, used for retail sale of fuel products, which provides no other onsite automotive services except a car wash as a conditional use.

Proposed Ordinance No. 2015-67

Recommendation made to Council to amend proposed Ordinance Number 2015-67, Section 1168.03, section 1 (2) to read: Automotive Fueling Station with or without an attached car wash. Prepackaged or prepared food items may be sold within a permitted automotive fueling station.

Proposed Ordinance No. 2015-68

Recommendation made to Council to amend proposed Ordinance Number 2015-68, Section 1176.07 (c) to read: Other Prohibited Uses. Crematories, tattoo parlors, trailer parks, storage garages, and car washes not attached to an automotive fueling station as a conditional use are also prohibited in the City.

Proposed Ordinance No. 2015-76

Recommendation be made to Council to amend proposed Ordinance Number 2015-76, Section 1160.04 (a) (2) to read: Any vehicle used for commercial purposes or in a commercial enterprise, which vehicle is marked or identified by lettering, symbols or signs relating to such commercial purpose or enterprise, or if not so identified, has attached thereto scaffolding, ladders, plows, cranes, hoists, hydraulic dump beds, backhoes or other tools and devices that are being used for such commercial enterprise or is designed and/or operated as a commercial vehicle or for a commercial purpose or has the capacity of one ton or more regardless of the type of registration by the BMV. Also, the paragraph below be amended to read: “The term “commercial vehicle” shall not include noncommercial motor vehicles, vehicles displaying license plates issued to a handicapped person or vehicles displaying a valid parking card issued by the State of Ohio to handicapped persons, unless used as provided for in paragraph (a) (2) D.2. hereof. Removing the verbiage “vehicles licensed as passenger-type vehicles, as defined in Ohio R.C. 4501.01 (E), or.”
