

Lyndhurst, Ohio  
February 9, 2015

The Council of the City of Lyndhurst held its Regular Meeting on Monday, February 9, 2015 at 8:02 P.M., Vice Mayor Lane A. Schlessel, presiding.

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

Others Present: R. J. Schmidlin, Jr., Acting Director of Law;  
R. F. Porrello, Chief of Police;  
M. A. Kovalchik, Director of Finance;  
L. M. Puskas, Building Inspector;  
M. A. Franco, Assistant Clerk of Council.

Absent: Council Representative C.A. LoPresti;  
J. M. Cicero, Jr., Mayor;  
P. T. Murphy, Director of Law;  
M. J. Carroll, Chief of Fire;  
F. E. Glady III, Director of Service.

It was moved by Mr. Marko, seconded by Mr. Ward, that the reading of the minutes of the Regular Meeting of Council held Monday, January 19, 2015, 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. Price abstaining.

It was moved by Mr. Ward, seconded by Mr. Frey, that the reading of the minutes of the Special Meeting of Council held Monday, January 19, 2015, 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. Price abstaining.

**MAYOR'S REPORT** – Mayor Cicero was absent; therefore, he had no report.

**FINANCE COMMITTEE** – Chairman Ward had no report; however, he aired the Budget Meeting will be Monday, February 23<sup>rd</sup> at 6:00PM.

**PUBLIC LANDS AND BUILDINGS COMMITTEE** – Chairman Ward had no report.

**ROADS AND UTILITIES COMMITTEE** – Chairman Gambatese had no report.

[SERVICE AND SEWERS COMMITTEE](#) – Chairman Price had no report.

[SAFETY COMMITTEE](#) – Chairman LoPresti was absent; therefore, he had no report.

[LEGISLATIVE COMMITTEE](#) – Chairman Marko had no report.

[PLANNING COMMISSION](#) – Mr. Frey had no report.

[SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION](#) – No representative was present.

The meeting was opened to public comment.

Ian Horwich, 5000 Farnhurst, said he has excessive flooding in his backyard during the summer months and asked if the City could assist in investigating and fixing the issue.

Mr. Ward stated the City has assessed the issue, but since the problem exists on private property there is not much the City can do.

Mr. Schlessel said he will review the situation further and get back to Mr. Horwich with any information he finds.

Katherine Smith, 5659 Wellington, expressed her concern regarding a recent survey conducted by Channel 3 News regarding lack of first aid kits in police cars.

Chief Porrello informed Ms. Smith the City of Lyndhurst police vehicles have trauma kits, unfortunately Channel 3 News survey did not have a category for that particular type of kit.

Mr. Ward stated he is requesting the law director draft suggestive legislation regarding solicitors.

**ORDINANCE NO. 2015-7  
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING ORDINANCE NO. 2014-14 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 LYNDHURST, OHIO, REPEALING CERTAIN SECTIONS OF ORDINANCE NO. 2014-14 INCONSISTENT HEREWITH, 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. 2015-7 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2015-7 was highlighted by Mrs. Franco, with Section 14 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Ordinance No. 2015-7 be passed.

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

Motion carried.  
Ordinance No. 2015-7 is passed

**RESOLUTION NO. 2015-8  
INTRODUCED BY: ADMIN**

**A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE  
BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF  
LYNDHURST, OHIO AND THE LYNDHURST FIREFIGHTERS  
ASSOCIATION, LOCAL 1676 OF THE INTERNATIONAL ASSOCIATION OF  
FIREFIGHTERS, AND RATIFYING AND APPROVING THE EXECUTION OF  
SAID AGREEMENT BY THE MAYOR, 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 Resolution No. 2015-8 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2015-8 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. Marko, that Resolution No. 2015-8 be adopted.

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

Motion carried.  
Resolution No. 2015-8 is adopted.

**ORDINANCE NO. 2015-9  
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 2 WITH  
CAVER PLATFORM, LLC, FOR THE 2014 SIDEWALK REPAIR PROGRAM,  
AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND DECLARING  
AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Ward, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2015-9 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2015-9 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. Gambatese, that Ordinance No. 2015-9 be passed.

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

Motion carried.  
Ordinance No. 2015-9 is passed

**ORDINANCE NO. 2015-10  
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN  
AGREEMENT WITH HENDERSON, SCHMIDLIN & MCGARRY CO., L.P.A.  
TO PROVIDE LEGAL SERVICES FROM JANUARY 1, 2015, THROUGH  
DECEMBER 31, 2015, AND DECLARING 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. 2015-10 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2015-10 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. Gambatese, that Ordinance No. 2015-10 be passed.

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

Motion carried.  
Ordinance No. 2015-10 is passed

**ORDINANCE NO. 2015-11  
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING ORDINANCE NO. 2013-86 WHICH ESTABLISHED THE SALARY, COMPENSATION, AND HOURLY RATES OF PAY FOR BARGAINING EMPLOYEES IN THE VARIOUS OFFICES AND DEPARTMENTS, AND WHICH CONFIRMED LONGEVITY COMPENSATION, VACATIONS, HOLIDAYS AND OTHER BENEFITS, IN THE CITY OF LYNDHURST, OHIO, REPEALING CERTAIN SECTIONS OF ORDINANCE NO. 2013-86 INCONSISTENT HEREWITH, 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. 2015-11 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2015-11 was highlighted by Mrs. Franco, with Section 16 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. Gambatese, that Ordinance No. 2015-11 be passed.

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

Motion carried.  
Ordinance No. 2015-11 is passed

In response to request for same, it was moved by Mr. Ward, seconded by Mr. Marko, that the Clerk be and she is hereby authorized and directed to advertise for bids for the 2015 Asphalt Program and the 2015 Concrete Repair Program.

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

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

Approved: February 16, 2015

Meeting adjourned at 8:29 P.M.

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

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