

Lyndhurst, Ohio
April 20, 2015

The Council of the City of Lyndhurst held its Regular Meeting on Monday, April 20, 2015 at 8:01 P.M., Vice Mayor Lane A. Schlessel, presiding.

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

Others Present: P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
L. M. Puskas, Building Inspector;
M. A. Franco, Assistant Clerk of Council.

Absent: Council Representative C.A. LoPresti;
Council Representative D.A. Frey;
J. M. Cicero, Jr., Mayor;
M. J. Carroll, Chief of Fire;
F. E. Glady III, Director of Service;
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Ward, seconded by Mr. Marko, that the reading of the minutes of the Regular Meeting of Council held Monday, April 6, 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.

It was moved by Mr. Ward, seconded by Mr. Marko, that the reading of the minutes of the Special Session of Council held Monday, April 6, 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.

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

FINANCE COMMITTEE – Chairman Ward had no report.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Ward submitted the following minutes into the record:

The Public Lands and Buildings Committee met Monday, April 6, 2015 at 7:00 pm. Present were Committee members Frey, Schlessel and Ward. Also present were Council Members Mr. Gambatese, Mr. Marko and Mr. Price, Finance Director Kovalchik and Law Director Murphy. The purpose of the meeting was to discuss pools and pool salaries.

There are three items on Council's agenda this evening; an Ordinance establishing Reciprocity with South Euclid for 2015, The Pool Fee Ordinance and the Pool Personnel Compensation Ordinance.

No changes in pool reciprocity with South Euclid are suggested for this year. A motion was made by Mr. Frey, seconded by Mr. Schlessel that the recommendation be made to Council to pass the Ordinance establishing reciprocity for this coming pool season. The question passed unanimously.

In the Pool Fee Ordinance it has been suggested that the fees be streamlined to establish a single Lyndhurst Pool Party fee of \$260.00. Last year's fee was \$225 for up to 50 people and then an additional \$50 for each 25 people thereafter. After discussion it was recommended to adopt the fee of \$260 for up to 150 people and then add language that "parties for over 150 people may be permitted with the approval of the Pool Director and Mayor, additional fees may apply" which would give the Administration greater control over crowds and expenses. A motion was made by Mr. Schlessel, seconded by Mr. Frey to recommend Council amend Ordinance 2015-25 and adopt it this evening.

The increase in the minimum wage standard to \$8.10 necessitates a change in the Pool Pay structure. The Pool Director and Finance Office worked to revamp the pay ranges accordingly working up from the new minimum wage. Mrs. Kovalchik estimates the impact will be well under \$2,400.00 for the season. A motion was made by Mr. Schlessel, seconded by Mr. Frey to recommend Council adopt the new Pool Pay Ordinance this evening. The question passed unanimously.

With no further business to discuss the meeting adjourned at 7:08 pm.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese had no report.

SERVICE AND SEWERS COMMITTEE – Chairman Price had no formal report; however, he stated the tree planting program is underway.

SAFETY COMMITTEE – Chairman LoPresti was absent; therefore, he had no report.

LEGISLATIVE COMMITTEE – Chairman Marko aired a Legislative meeting is scheduled for May 4th at 7:15PM.

PLANNING COMMISSION – Mr. Frey was absent; therefore, he had no report; however, Mr. Ward stated a meeting is scheduled for Thursday, April 23rd at 7:30PM.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – No representative was present.

The meeting was opened to public comment.

Sonny Simon, 4110 Princeton, South Euclid, aired Wednesday, April 22nd a meeting is scheduled at Richmond Heights Council Chambers with, Eddy Kraus, Director of Regional Collaboration.

Ms. Simon stated May 2nd is the deadline for Round 2 of the Demo program.

Ms. Simon announced today was the launch of the Department of Sustainability, for efficiency programs.

Ms. Simon said the Cleveland Convention Center Hotel is on target, scheduled to open 2016.

Joseph R. Jenkins, Government Affairs Specialist, Northeast Ohio Regional Sewer District, introduced himself and explained his position.

Mr. Schlessel stated the Business Expo will be held May 7th, from 2:30PM – 7:00PM, 700 Beta Drive.

ORDINANCE NO: 2015-28
INTRODUCED BY: ADMIN

AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO ADVERTISE FOR BIDS FOR THE SALE BY NEWSPAPER PUBLICATION OR BY INTERNET AUCTION OF EIGHT SURPLUS MOTOR VEHICLES, AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE HIGHEST BIDDER FOR SUCH MOTOR VEHICLES 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. 2015-28 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2015-28 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. Marko, that Ordinance No. 2015-28 be passed.

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

Motion carried.
Ordinance No. 2015-28 is passed

ORDINANCE NO: 2015-29
INTRODUCED BY: ADMIN

AN EMERGENCY ORDINANCE ENACTED BY THE CITY OF LYNDHURST, CUYAHOGA COUNTY, OHIO, HEREINAFTER REFERRED TO AS THE MUNICIPALITY, IN THE MATTER OF THE HEREINAFTER DESCRIBED IMPROVEMENT, REQUESTING THE COOPERATION OF THE COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE COUNTY.

It was moved by Mr. Ward, seconded by Mr. Marko, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2015-29 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2015-29 was highlighted by Mrs. Franco, with the last paragraph being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. Ward, that Ordinance No. 2015-29 be passed.

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

Motion carried.
Ordinance No. 2015-29 is passed

Board of Zoning Appeals Recommendations:

Recommendation made to Council to confirm the decision of the Board in Case No. 2015-01 to **grant** the request of Randy Eifert of Wilson Electronic Displays, representing South Euclid Lyndhurst Schools, for a variance from the provisions of Section 1170.18 of the Planning and Zoning Code. The applicant requests to erect an electronic moving digital message sign at 4821 Mayfield Road. The code limits electronic signs to properties having five (5) or more acres and six hundred (600) feet of frontage.

The findings in Case No. 2015-01 as recorded in the minutes of the meeting of the Board of Zoning Appeals held April 13, 2015 were read by Mrs. Franco.

It was moved by Mr. Marko, seconded by Mr. Ward, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2015-01 with the following modification: that hours of operation be limited to 6:00AM to 10:00PM Monday through Thursday and from 6:00AM to 11:00PM Friday through Sunday except on those occasions where special events are held at Brush High School when operation may be extended to one half hour following the end of the event, but at no time shall the sign operate later than 12:00 Midnight.

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

Motion carried.

Correspondence from the Ohio Division of Liquor Control transfer permit from Champs Operating Corporation DBA Champs Americana to Burntwood Tavern Lyndhurst, LLC, 5835 Landerbrook Circle, was noted with no hearing being requested.

Correspondence from the Ohio Division of Liquor Control transfer permit from John J. Castrataro DBA Giovannis Meats and Deli to Ascension Industries, Inc., DBA Giovannis Meats and Deli, 5716 Mayfield Road, was noted with no hearing being requested.

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

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

Meeting adjourned at 8:17 P.M.

Approved: May 4, 2015

Attest: _____
Clerk of Council

Vice Mayor