

Lyndhurst, Ohio
May 18, 2015

The Council of the City of Lyndhurst held its Regular Meeting on Monday, May 18, 2015 at 8:02 P.M., Vice Mayor Lane A. Schlessel, presiding.

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

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

Absent: J. M. Cicero, Jr., Mayor;
F. E. Glady III, Director of Service;
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Monday, May 4, 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. LoPresti abstaining.

It was moved by Mr. Ward, seconded by Mr. Gambatese, that the reading of the minutes of the Special Session of Council held Monday, May 4, 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. LoPresti abstaining.

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 stated pools will be open June 6th.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese had no report.

SERVICE AND SEWERS COMMITTEE – Chairman Price had no report.

SAFETY COMMITTEE – Chairman LoPresti had no report.

LEGISLATIVE COMMITTEE – Chairman Marko submitted the following minutes into the record: The Legislative Committee met on Monday, May 4, 2015. Present were members of the committee, Councilmen Marko, Schlessel and Price. Also present were Councilmen Frey, Ward, Gambatese and Law Director Paul Murphy. The Topic of discussion was Ordinance 2010-53.

The meeting was called to order at 7:15 pm with Councilman Marko giving a brief history of the origins of Ordinance 2010-53. Ordinance 2010-53 was the result of an accident on I-271 where 3-4 Lyndhurst police officers were assigned to control traffic on the ramps at Brainard Road for an extended period of time. Ordinance 2010-53 was intended for the City of Lyndhurst to be able to recover the cost of excessive time of our Police officers attending/assisting accidents of this nature where they were assigned for extended periods of time. The ordinance was not written with any thresholds of time of costs due to equal protection issues. Therefore, most accidents were billed under the basis of this ordinance to the guilty party. In addition, billing the guilty parties' insurance company was getting more difficult. After the discussion it was moved by Mr. Schlessel and second by Mr. Marko to recommend to Council to repeal Ordinance 2010-53. The motion was put to vote and passed. No other business was discussed and the meeting adjourned at 7:41 pm.

PLANNING COMMISSION – Mr. Frey had no report.

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

The meeting was opened to public comment.

George DiSanto, 1960 Caronia, stated on behalf of himself and residents of Alberta Park Estates he would like to thank the Mayor, Council, Chief Carroll, Chief Porrello, Rick Gladly and Larry Puskas for the wonderful work they do for the City of Lyndhurst.

Mr. DiSanto expressed concern regarding fire hydrants not being cleared during the winter months. Mr. DiSanto requested the City send out reminders that the homeowner is responsible for keeping fire hydrants clear of snow.

Mr. DiSanto said Alberta Park Estates is becoming over run with deer.

Mr. Ward explained different studies and solutions other communities are trying, Mr. Ward said the City is continuously looking for solutions.

Mr. Schlessel aired the City received a grant from Legacy Village that will enable the City to begin a snow plowing for seniors program.

ORDINANCE NO. 2015 - 37
INTRODUCED BY: ADMIN

**AN ORDINANCE REPEALING SECTION 139.02 OF THE CODIFIED
ORDINANCES OF THE CITY**

It was moved by Mr. Ward, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2015-37 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2015-37 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2015-37 be passed.

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

Motion carried.
Ordinance No. 2015-37 is passed.

RESOLUTION NO. 2015 - 38
INTRODUCED BY: ADMIN

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT
FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE
DEPARTMENT OF HOMELAND SECURITY PURSUANT TO THE FISCAL
YEAR 2013 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM,
AUTHORIZING THE EXPENDITURE OF THE LOCAL SHARE 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 Resolution No. 2015-38 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2015-38 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. LoPresti, that Resolution No. 2015-38 be adopted.

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

Motion carried.
Resolution No. 2015-38 is adopted.

**ORDINANCE NO. 2015-39
INTRODUCED BY: ADMIN
AND COUNCIL**

AN ORDINANCE AUTHORIZING THE MAYOR AND LAW DIRECTOR, ON BEHALF OF THE CITY, TO CONTINUE TO EMPLOY SPECIAL LEGAL COUNSEL TO ASSIST IN THE REPRESENTATION OF THE CITY AND OTHER MUNICIPALITIES AS LEAD APPELLATE COUNSEL UNDER A JOINT REPRESENTATION AGREEMENT IN PENDING LITIGATION, AND DECLARING AN EMERGENCY.

It was moved by Mr. Ward, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2015-39 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2015-39 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. Marko, that Ordinance No. 2015-39 be passed.

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

Motion carried.
Ordinance No. 2015-39 is passed.

**ORDINANCE NO. 2015-40
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING PARTICIPATION IN THE OHIO
ASSOCIATION OF PUBLIC TREASURERS WORKERS COMPENSATION
GROUP RATING PROGRAM, AUTHORIZING AN AGREEMENT WITH
COMP MANAGEMENT INC. AS PART OF PARTICIPATION IN SUCH
PROGRAM, 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. 2015-40 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2015-40 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2015-40 be passed.

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

Motion carried.
Ordinance No. 2015-40 is passed.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that the meeting be adjourned.

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

Meeting adjourned at 8:29 P.M.

Approved: June 1, 2015

Attest: _____
Clerk of Council

Vice Mayor