

Lyndhurst, Ohio
August 3, 2015

The Council of the City of Lyndhurst held its Regular Meeting on Monday, August 3, 2015 at 7:01 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. A. Franco, Assistant Clerk of Council.

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

It was moved by Mr. Ward, seconded by Mr. Price, that the reading of the minutes of the Regular Meeting of Council held Monday, July 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, with Mr. Marko 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 had no report.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese had no report.

SERVICE AND SEWERS COMMITTEE – Chairman Price stated the committee met prior to the Council Meeting and minutes will be forthcoming.

SAFETY COMMITTEE – Chairman LoPresti stated free smoke detectors are still available through the Fire Department, if you meet certain criteria. The Community Center is offering individually sized bicycle helmet fittings for ten dollars (\$10.00).

LEGISLATIVE COMMITTEE – Chairman Marko had no report.

PLANNING COMMISSION – Mr. Frey had no report.

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

SPECIAL PRESENTATION – PROPERTY OF DISTINCTION AWARD –
Councilman Ward announced the recipients of the Property of Distinction Awards:

- Jennifer Guzik - 5670 Shawnee Drive
- James Pilla - 1403 Haverston Road
- Gina Massi - 4825 Fairlawn Road
- Robert and Martha Nagy - 5253 Graham Drive

The meeting was opened to public comment.

Calvin Ryan, 1180 Croyden, expressed his concern regarding the flooding issue June 27th.

Sonny Simon, 4110 Princeton, South Euclid, presented Mr. LoPresti with a Resolution. Ms. Simon updated Council on current events and meeting topics within the County.

Mr. Ward asked Ms. Simon if she could research county funding for storefront renovations, Ms. Simon said she would look into it and let Mr. Ward know.

Dennis Gustavson, 4907 Westbourne, expressed his concern about the deer population. Mr. Gustavson voiced his concern about the idling police vehicles outside City Hall.

Mr. Ward and Chief Porrello explained in extreme weather hot or cold, due to the electronics and other equipment inside the vehicles, it is best to keep the vehicles running.

Brenda Tempsey, 1632 Curry, expressed her concern regarding the flooding issue June 27th.

E. Dale Inkley, 5126 E. Farnhurst, spoke of past committee meetings the Mayor attended regarding the deer population. Mr. Inkley inquired if there have been any meetings recently.

Mr. Ward stated there has not been any meetings recently; however, the City is still investigating other options.

Sean Burke, 1440 Irene, expressed his concern regarding the flooding issue June 27th.

Mr. Gambatese asked if the City has any resources for residents that live next to creeks.

SECOND READING
ORDINANCE NO. 2015-51
INTRODUCED BY: ADMIN

AN ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$30,000,000 CITY OF LYNDHURST, OHIO ECONOMIC DEVELOPMENT REVENUE BONDS, SERIES 2015 (HAWKEN SCHOOL PROJECT) FOR THE PURPOSE OF MAKING A LOAN TO ASSIST HAWKEN SCHOOL IN THE FINANCING AND REFINANCING OF COSTS OF A “PROJECT” WITHIN THE MEANING OF CHAPTER 165, OHIO REVISED CODE; AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT PERTAINING TO THE PROJECT AND A TRUST INDENTURE SECURING THE PAYMENT OF THE BONDS; AUTHORIZING THE EXECUTION AND DELIVERY OF CERTAIN OTHER DOCUMENTS AND ACTIONS IN CONNECTION WITH THE ISSUANCE OF SUCH BONDS, AND DECLARING AN EMERGENCY.

It was moved by Mr. Ward, seconded by Mr. Gambatese, that Ordinance No. 2015-51 be amended by substitution for Amended Ordinance 2015-51 that was distributed to Council.

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

Motion carried.

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 Amended Ordinance No. 2015-51 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. 2015-51 was highlighted by Mr. Murphy.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Ordinance No. 2015-51 as amended be passed.

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

Motion carried.

Ordinance No. 2015-51 (Amended) is passed.

**RESOLUTION NO. 2015-55
INTRODUCED BY: ADMIN**

A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF LYNDHURST, OHIO AND THE LABORERS INTERNATIONAL UNION OF NORTH AMERICA LOCAL 860 (BUILDING DEPARTMENT), 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. 2015-55 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. 2015-55 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. Frey, that Resolution No. 2015-55 be adopted.

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

Motion carried.
Resolution No. 2015-55 is adopted.

**RESOLUTION NO. 2015-56
INTRODUCED BY: ADMIN**

A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF LYNDHURST, OHIO AND THE LABORERS' INTERNATIONAL UNION OF NORTH AMERICA LOCAL 860 (SERVICE DEPARTMENT), RATIFYING AND APPROVING THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, 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. 2015-56 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. 2015-56 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. LoPresti, that Resolution No. 2015-56 be adopted.

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

Motion carried.
Resolution No. 2015-56 is adopted.

**RESOLUTION NO. 2015-57
INTRODUCED BY: ADMIN**

A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF LYNDBURST, OHIO AND THE LABORERS INTERNATIONAL UNION OF NORTH AMERICA LOCAL 860 (FINANCE DEPARTMENT), RATIFYING AND APPROVING THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, AND DECLARING AN EMERGENCY.

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 Resolution No. 2015-57 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. 2015-57 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. LoPresti, that Resolution No. 2015-57 be adopted.

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

Motion carried.
Resolution No. 2015-57 is adopted.

**ORDINANCE NO. 2015-58
INTRODUCED BY: ADMIN**

AN ORDINANCE AMENDING SECTION 121.01 OF THE CODIFIED ORDINANCES OF THE CITY TITLED "COUNCIL", AND DECLARING AN EMERGENCY

It was moved by Mr. Ward, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2015-58 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. 2015-58 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. Gambatese, that Ordinance No. 2015-58 be amended to read 7:30PM in Section 1, Section 121.01(a).

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

Motion carried.

It was moved by Mr. Ward, seconded by Mr. Gambatese, that Ordinance No. 2015-58 as amended be passed.

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

Motion carried.
Ordinance No. 2015-58 (Amended) is passed.

**ORDINANCE NO. 2015 - 59
INTRODUCED BY: ADMIN**

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST FOR THE PERIOD ENDING DECEMBER 31, 2015 REPEALING ORDINANCE NO. 2015-46 AND DECLARING AN EMERGENCY.

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. 2015-59 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. 2015-59 was highlighted by Mrs. Franco, with Section 11 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Ordinance No. 2015-59 be passed.

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

Motion carried.
Ordinance No. 2015-59 is passed.

**ORDINANCE NO: 2015-60
INTRODUCED BY: ADMIN**

AN ORDINANCE AMENDING ORDINANCE NO. 2015-11 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. 2015-11 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2015-60 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. 2015-60 was highlighted by Mrs. Franco, with Section 16 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Ordinance No. 2015-60 be passed.

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

Motion carried.
Ordinance No. 2015-60 is passed.

**RESOLUTION NO. 2015-61
INTRODUCED BY: ADMIN**

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION FOR A GRANT UNDER THE 2015 LAKE ERIE WATERSHED CANOPY RESTORATION GRANT PROGRAM, AUTHORIZING THE MAYOR TO EXECUTE AGREEMENTS AS REQUIRED, AND DECLARING AN EMERGENCY.

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 Resolution No. 2015-61 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. 2015-61 was highlighted by Mrs. Franco, with Section 5 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Resolution No. 2015-61 be adopted.

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

Motion carried.
Resolution No. 2015-61 is adopted.

**ORDINANCE NO: 2015-62
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. 2015-62 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. 2015-62 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Ward, seconded by Mr. LoPresti, that Ordinance No. 2015-62 be passed.

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

Motion carried.
Ordinance No. 2015-62 is passed.

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.

Meeting adjourned at 7:47 P.M.

Approved: September 8, 2015

Attest: _____
Clerk of Council

Vice Mayor