

Lyndhurst, Ohio
December 5, 2016

The Council of the City of Lyndhurst held its Regular Meeting on Monday, December 5, 2016 at 7:33 P.M., Vice Mayor Lane A. Schlessel, presiding.

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

Others Present: P.A. Ward, Mayor;
P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
M. J. Carroll, Chief of Fire;
J. Maichle, Building Commissioner;
M. A. Franco, Assistant Clerk of Council.

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

The Oath of Office was administered to Scott Kravitz, Member of the Planning Commission.

It was moved by Mr. Frey, seconded by Mr. Price, that the reading of the minutes of the Regular Meeting of Council held Monday, November 21, 2016, 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 Ward stated the Holiday Lighting held Friday, December 2nd was well attended, Mayor Ward said he was extremely pleased. Mayor Ward aired the Holiday Concert will be on Sunday, December 18th at 3:00PM at the Community Center featuring the Hillcrest Concert Band.

Mayor Ward said Historical Calendars are available for sale at the front desk, \$20.00 each.

Mayor Ward reminded all to keep their vehicles locked at all times.

Mayor Ward wished all Happy Holidays!

FINANCE COMMITTEE – Chairman Marko had no report.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Price had no report; however, he submitted the following minutes into the record:

Committee Members present: Jeff Price – Chairman, Joe Gambatese and Steve Grushetsky

Meeting call to Order: 6:25 PM

- Public Lands & Building budget \$214, 200.00 passed 3-0in favor upon availability of funds and recommended to Finance committee. No Change.
- Building Department budget – changed to 2 vehicles not to exceed \$40,000.00 passed 3-0in favor upon availability of funds and recommended to Finance committee.
- Finance Department/Council budget \$127,900.00 passed 3-0in favor upon availability of funds and recommended to Finance committee. No Change
- Community Center – budget \$24,250.00 passed 3-0in favor upon availability of funds and recommended to Finance committee. No Change
- Technology - passed 3-0in favor for \$98,781.00 upon availability of funds and recommended to Finance committee. No Change.

Meeting adjourned 7:05 PM into Executive Session reconvened 7:25PM and adjourned.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese had no report.

SERVICE AND SEWERS COMMITTEE – Chairman Marko had no report.

SAFETY COMMITTEE – Chairman LoPresti stated the Safety Committee met prior to the Council meeting. Chairman LoPresti submitted the following minutes into the record:

The Safety Committee met, Monday, December 5, 2016, in the conference room at Lyndhurst Municipal Center. Present at the meeting were Committee Members Gambatese and Schlessel, and Chairman LoPresti. Also present were Councilmen Frey, Grushetsky, Marko and Price, Finance Director Kovalchik, Mayor Ward, Police Chief Porrello and Fire Chief Carroll. The Meeting was called to order at 7:00pm. The purpose of the Meeting was to discuss Departmental Capital Requests for 2017.

The following Capital Requests by the Police Department were recommended by the Committee, pending the availability of funds:

Police

1. 2016 Ford Charger/Explorer Patrol Vehicles (4317-18, 30 (3 cars))	\$98,105.00
2. Patrol Vehicle Equipment (Lights, Sirens, Weapons Mount, K-9 Retro)	\$23,600.00
3. Replacement Body Armor (12) (50% DOJ Bullet Proof Vest Pship Grant)	\$11,520.00
4. IT/Data Processing	\$17,600.00
5. L3 Mobile Vision Equip (Phase in Replacements)((5/8 total))	\$24,050.00
6. Safe Routes to School Grant - Sunview School (Engineering Portion)	<u>\$15,000.00</u>

Total Recommended Capital Requests (POLICE): **\$189,975.00**

The following Capital Requests by the Fire Department were recommended by the Committee, pending the availability of funds:

Fire

1.	Vehicle Exhaust Removal (Applied for Grant...will cover all, but \$3,200)	\$65,987.00
2.	High Pressure Air Lifting Bags	\$12,000.00
3.	Personal Protective Equipment (PPE)(5)	\$15,000.00
4.	Rescue Task Force Equipment (4/8) (Vest, Med Supplies, and Helmet)	<u>\$8,000.00</u>

Total Recommended Capital Requests (FIRE): **\$100,987.00**

No other business was discussed and the meeting adjourned at 7:28 pm

LEGISLATIVE COMMITTEE – Chairman Frey had no report.

PLANNING COMMISSION – Mr. Frey had no report.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION (First meeting of the month) – No representative was present.

The meeting was opened to public comment.

Linda Radkowsky, 1152 Irene, voiced her concern regarding the Bed and Breakfast at 1148 Irene. Ms. Radkowsky inquired why the city is not enforcing the moratorium on Bed and Breakfasts.

E. Dale Inkley, 5126 E. Farnhurst, thanked the Mayor, Council and employees for their dedication and service. Mr. Inkley said the City has been well governed. Mr. Inkley gave the Assistant Clerk of Council a letter and newspaper article to which he referred in his comments regarding the problem of overpopulation of deer in Lyndhurst.

Elyzabeth DeGiovanni, 5169 Thornbury, dittoed Mr. Inkley comments. Ms. DeGiovanni inquired what is being done with the moratorium on Bed and Breakfasts.

Mr. Murphy stated he is researching what other cities and states do, to come up with a proposal to figure out if the city wants to allow them or not, and if they need to be in commercial verses residential areas.

Mr. Murphy stated he is unaware of any current Bed and Breakfast operating within the city. Mr. Murphy stated he is aware on Airbnb Website there are days blocked off but that only means the rental is unavailable. Mr. Murphy said he will continue to research Bed and Breakfast.

**ORDINANCE NO. 2016 –96
INTRODUCED BY: ADMIN**

AN ORDINANCE ADOPTING CHAPTER 1335 OF THE CODIFIED ORDINANCES OF THE CITY OF LYNDHURST TITLED “EROSION AND SEDIMENT CONTROL” TO ESTABLISH POLICIES AND PROCEDURES REGARDING EROSION AND SEDIMENT CONTROL IN THE CITY, REPEALING CURRENT CHAPTER 1335 IN ITS ENTIRETY, AND DECLARING AN EMERGENCY

It was moved by Mr. Grushetsky, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-96 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti, Schlessel.

Nays: None.

Motion carried.

Rules Suspended.

Ordinance No. 2016-96 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. 2016-96 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti, Schlessel.

Nays: None.

Motion carried.

Ordinance No. 2016-96 is passed.

**ORDINANCE NO. 2016-97
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 3 WITH CATTS CONSTRUCTION, INC. FOR THE 2016 CONCRETE PROGRAM, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND DECLARING AN EMERGENCY

It was moved by Mr. Frey, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-97 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti,
Schlessel.

Nays: None.

Motion carried.

Rules Suspended.

Ordinance No. 2016-97 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Ordinance No. 2016-97 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti,
Schlessel.

Nays: None.

Motion carried.

Ordinance No. 2016-97 is passed.

**ORDINANCE NO. 2016-98
INTRODUCED BY: ADMIN**

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND
OTHER EXPENDITURES OF THE CITY OF LYNDBURST FOR THE PERIOD
ENDING DECEMBER 31, 2016 REPEALING ORDINANCE 2016-82 AND
DECLARING AN EMERGENCY**

It was moved by Mr. Grushetsky, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2016-98 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti,
Schlessel.

Nays: None.

Motion carried.

Rules Suspended.

Ordinance No. 2016-98 was highlighted by Mrs. Franco, with Section 11 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Ordinance No. 2016-98 be passed.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti,
Schlessel.

Nays: None.

Motion carried.

Ordinance No. 2016-98 is passed.

**RESOLUTION NO. 2016-99
INTRODUCED BY: MAYOR
PATRICK A. WARD AND
COUNCIL AS A WHOLE**

A RESOLUTION OPPOSING ANY EFFORT IN THE LAME DUCK LEGISLATURE TO ENACT LEGISLATION REDUCING OR ELIMINATING THE ABILITY OF MUNICIPALITIES TO REGULATE CONSTRUCTION WITHIN THEIR RIGHTS-OF-WAY, OPPOSING ANY EFFORT TO ENACT LEGISLATION TO REMOVE SUCH CONTROL FROM MUNICIPALITIES AND PLACE WITH ANY FEDERAL, STATE OR LOCAL COMMISSION OR WITH WIRELESS INTERNET COMPANIES, AND DECLARING AN EMERGENCY.

It was moved by Mr. Grushetsky, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2016-99 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti, Schlessel.

Nays: None.

Motion carried.

Rules Suspended.

Resolution No. 2016-99 was highlighted by Mrs. Franco, with Section 6 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Resolution No. 2016-99 be adopted.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti, Schlessel.

Nays: None.

Motion carried.

Resolution No. 2016-99 is adopted.

**RESOLUTION 2016-100
INTRODUCED BY: ADMIN**

A RESOLUTION EXPRESSING COMMENDATION AND SINCERE APPRECIATION TO ANGIE POHLMAN FOR HER DEDICATED SERVICE UPON HER RETIREMENT AS EXECUTIVE DIRECTOR OF THE HEIGHTS-HILLCREST REGIONAL CHAMBER OF COMMERCE

It was moved by Mr. Frey, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2016-100 be placed on third reading for final adoption and that it be read in its entirety.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti,
Schlessel.

Nays: None.

Motion carried.
Rules Suspended.

Resolution No. 2016-100 was read in its entirety.

It was moved by Mr. Grushetsky, seconded by Mr. LoPresti, that Resolution No. 2016-100 be adopted.

Roll Call: Yeas: Marko, Price, Gambatese, Grushetsky, Frey, LoPresti,
Schlessel.

Nays: None.

Motion carried.
Resolution No. 2016-100 is adopted.

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

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

Meeting adjourned at 8:05 P.M.

Approved: January 3, 2017

Attest: _____
Clerk of Council

Vice Mayor