

Lyndhurst, Ohio  
March 6, 2017

The Council of the City of Lyndhurst held its Regular Meeting on Monday, March 6, 2017 at 7:32 P.M., Vice Mayor Joseph A. Marko, presiding.

Members Present: Council Representatives, L. A. Schlessel, 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.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that the reading of the minutes of the Organizational Meeting of Council held Monday, February 20, 2017, 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 aired the second in the series of heroin forums will be held Wednesday, March 15<sup>th</sup>.

**FINANCE COMMITTEE** – Chairman Schlessel submitted the following minutes into the record:

The Finance Committee met Tuesday, February 21, 2017 at 6:30 PM. Present were members of Council, Mr. Frey, Mr. Gambatese, Mr. Marko, Mr. Schlessel, Mr. Grushetsky, Mr. Price and Mr. LoPresti. Also present were Finance Director Mary Kovalchik and Mayor Ward. The purpose of this meeting was the annual review of budget appropriations for 2017. A copy of the Draft Appropriation Budget had been distributed to all members of Council electronically along with detailed Financial Review information in advance of the meeting for their careful evaluation in preparation for this session.

Chairman Schlessel opened the meeting pointing out the continued positive impact that the administration has had on returning funds to the general fund on a yearly basis. Certainly the discussions of funding the City's general operations can be approached from a solid, but cautious, footing looking forward. The Chairman then directed the members' attention to the estimated revenues and budget for the general fund and pointed out the impact of the Legacy Village obligation for the Tax increment financing agreement and also made note that nearly 52% was allocated for safety forces.

Chairman Schlessel then turned the Committee's discussion to the consideration of General Fund Expense items as they had been presented by the various departments. The Committee considered and recommended funding the operations of the City as follows:

Police Department	\$ 4,484,877
Fire Department	\$ 3,328,728
Public Health	\$ 57,684
Planning Commission	\$ 12,462
Board of Zoning	\$ 12,736
Architectural Board	\$ 7,522
Building Department	\$ 472,463
Parks	\$ 225,806
Brainard SprayPark	\$ 79,106
Lyndhurst Pool	\$ 295,752
Recreation Events	\$ 17,000
CPOA	\$ 156,070
Refuse Collection	\$ 693,594
Recycling	\$ 228,288
Leaves	\$ 155,027
Trees	\$ 147,520
Mayor	\$ 236,401
Income Tax Administration	\$ 410,833
Finance Department	\$ 527,869
Law Department	\$ 208,815
Service Department	\$ 553,408
Civil Service Commission	\$ 36,934
Council	\$ 138,100
Municipal Court	\$ 1,244,982
General Administrative	\$ 401,428
Lands & Buildings	\$ 497,423
Statutory	\$ 385,250
Transfers	\$ 2,542,250
Engineering	\$ 41,820
Unclaimed	\$ 5,000

For a total GENERAL FUND amount of \$17,605,148, which will leave an anticipated balance, if every appropriated dollar is expended, of \$1,708,577 at the end of the year.

A motion was made by Mr. Price, seconded by Mr. Gambatese that the General Fund appropriations in the amount of \$ 17,605,148 be approved. A Voice vote was taken with members voting, YES.

Other Funds are budgeted as follows:

Special Revenue Funds	\$ 1,748,686
Law Enforcement Fund	\$ 14,960
Law Enforcement ESA Fund	\$ 22,380
Debt Service Fund	\$ 1,128,500
Special Assessment Funds	\$ 2,082,811
Trust & Agency Funds	\$ 1,211,980
Capital Improvement Funds	\$ 2,817,593

It was moved by Mr. Marko, seconded by Mr. Price that the amounts recommended for Special Revenue, Assessment, Debt Service, Trust & Agency and Capital Improvement Funds in the amount of \$ 9,026,910 be approved. All members voted yes.

The City also administers several Court Funds which have appropriations as follows:

Court Probation Services	\$ 12,309
Court Special Projects	\$ 216,613
Court Special Projects ID	\$ 13,500
Court Computer Fund	\$ 218,766
DUI-Indigent	\$ 50,000

Each fund was put to a voice vote that the expenditures outlined for the various Court Funds in the amount of \$ 511,188 be approved as presented. The question passed unanimously.

The Committee's discussion then turned to consideration of the Capital Requests that had been presented by the various Departments and the Lyndhurst Municipal Court to the various Committees of Council for their consideration and recommendations. The Finance Director had prepared an illustration of the various funds that service the City's capital needs which clearly shows caution must be exercised in this regard. It is fortunate the City basically has no debt but funding future needs will be a tremendous challenge.

The following individual Department amounts for Capital purchases have been approved:

	<u>AMOUNT</u>
Police Department requests	\$ 157,274
Fire Department requests	\$ 51,950
Building Department Requests	\$ 40,000

Lyndhurst Municipal Court requests	\$ 144,500
Public Lands & Bldg. Requests	\$ 179,200
Community Center Requests	\$ 24,250
Finance Dept./Council requests	\$ 124,400
Service Department requests	\$ 422,000
Street Improvement requests	\$1,110,000
Storm Sewer requests	\$ 190,000
Sanitary Sewer requests	\$ 925,020
Technology Upgrades	\$ 98,781
Miscellaneous Engineering requests	\$ 590,388
TOTAL ALL REQUESTS	\$4,057,763

It was moved by Mr. Price, seconded by Mr. Marko that all items be approved for funding. A voice vote was taken with all members voting aye.

The Grand Total of all Funds is \$ 26,632,058

It was moved by Mr. LoPresti, seconded by Mr. Gambatese, that the meeting be adjourned, a vote was taken and meeting was adjourned at 7:40 pm with no other business discussed.

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

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

**SERVICE AND SEWERS COMMITTEE** – Chairman Grushetsky had no report.

**SAFETY COMMITTEE** – Chairman LoPresti had no report.

**LEGISLATIVE COMMITTEE** – Chairman Schlessel had no report.

**PLANNING COMMISSION** – Mr. Frey aired Wednesday, March 8<sup>th</sup> at 7:30PM will be a special meeting of the Planning Commission at the Community Center to discuss the plans submitted for the Bolton School property.

**SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION (First meeting of the month)** – Lisa Marko thanked law enforcement agencies from both the community and surrounding communities for all the support in the tragic loss of Brush High School student Alec Kornet.

Ms. Marko stated Brush High School is honored with being 1 of 3 schools selected in Ohio to be awarded the OIAAA/OHSAA Award of Excellence this year. The award, a collaboration between the Ohio High School Athletic Association and the Ohio Interscholastic Athletic Administrators Association.

Ms. Marko said Greenview and Memorial Junior High School participated in a Presidential Trivia competition, in the 5th and 6th grade division, South Euclid Lyndhurst students earned second and third place medals. South Euclid Lyndhurst swept the 7th and 8th grade division.

Ms. Marko said sixth grade students attended a STEM workshop offered by Rockwell Automation. Sessions included EV3 Lego Robotic programming, assembly line mechanics, graphic arts design, hands-on engineering challenges, and a tour of the company with a lot of questions and answers from and for the engineers.

Ms. Marko announced Brush High School student Tionna Cisco has been selected as a finalist in the 2017 Stop the Hate® Youth Speak Out Essay Contest, distinguishing herself from more than 3,200 other essays submitted. Next up for Tionna is to read her essay before another panel of judges, their peers and their families on April 26, 2017 at the Milton & Tamar Maltz Performing Arts Center at Case Western Reserve University.

Ms. Marko congratulated Mr. Paul Kijinski, 4th grade teacher at Greenview Upper Elementary School, on being recognized as a successful published author.

Ms. Marko said both boys and girls basketball teams on all levels had a very successful season.

Ms. Marko stated the district has recently completed their annual financial meetings and there will not be a levy on November's ballot, thanks to all the administrators' hard work and making sound decisions.

Ms. Marko aired South Euclid Lyndhurst PTA, Council, Athletic Boosters, and Band Booster will be hosting Night at the Races this Saturday at the Lyndhurst Community Center, horses and tickets are still available.

The meeting was opened to public comment.

Elyzabeth DeGiovanni, 5169 Thornbury, inquired if the police and fire departments will be at the heroin forum for questions.

Mayor Ward said they will be present, but will not have an informational table set up.

Ms. DeGiovanni asked why the City is continuing the moratorium on medical marijuana.

Mayor Ward explained legislature has not adopted the rules, and the City of Lyndhurst is waiting until laws are in place.

Mr. Gambatese thanked the Mayor for arranging and scheduling the Special Planning Commission meeting on Wednesday, March 8<sup>th</sup> at 7:30PM regarding the Bolton property.

Mayor Ward stated there will also be a Town Hall Meeting regarding the Bolton Property on Monday, March 13<sup>th</sup> at 7:00PM at the Community Center.

**ORDINANCE NO. 2017-12  
INTRODUCED BY: ADMIN**

**TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND  
OTHER EXPENDITURES OF THE CITY OF LYNDBURST FOR THE PERIOD  
ENDING DECEMBER 31, 2017 REPEALING ORDINANCE NO. 2016-88 AND  
DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2017-12 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2017-12 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. 2017-12 be passed.

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

Motion carried.  
Ordinance No. 2017-12 is passed.

**RESOLUTION NO. 2017-13  
INTRODUCED BY: ADMIN**

**A RESOLUTION DECLARING THE REAL PROPERTY KNOWN  
AS CUYAHOGA COUNTY PERMANENT PARCEL NO. 711-15-075, 4991  
EDSAL ROAD, TO BE A NUISANCE, AUTHORIZING THE MAYOR TO  
ENTER INTO A CONTRACT FOR THE WORK NECESSARY TO  
ABATE THE NUISANCE, AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2017-13 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2017-13 was highlighted by Mrs. Franco, with Section 8 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Resolution No. 2017-13 be passed.

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

Motion carried.  
Resolution No. 2017-13 is adopted.

**RESOLUTION NO. 2017-14  
INTRODUCED BY: ADMIN**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A  
CONTRACT WITH CHRIS LADAIKA DBA BEXLEY CONCESSIONS FOR  
CONCESSIONAIRE SERVICES DURING THE 2017 POOL SEASON AND  
DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2017-14 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2017-14 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Resolution No. 2017-14 be passed.

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

Motion carried.  
Resolution No. 2017-14 is adopted.

**ORDINANCE NO. 2017-15  
INTRODUCED BY: ADMIN**

**AN ORDINANCE CONTINUING A MORATORIUM ON GRANTING  
ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY FOR ANY  
BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE**

**THE CULTIVATION, PROCESSING OR RETAIL SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED SIX MONTHS FROM THE EFFECTIVE DATE OF THIS ORDINANCE, AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2017-15 be placed on third reading for final passage and that it be highlighted.

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

Nays: None.

Motion carried.

Rules Suspended.

Ordinance No. 2017-15 was highlighted by Mrs. Franco, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Ordinance No. 2017-15 be passed.

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

Nays: None.

Motion carried.

Ordinance No. 2017-15 is passed.

In response to request for same, it was moved by Mr. Schlessel, seconded by Mr. Price, that the Clerk be and she is hereby authorized and directed to advertise for bids for the 2017 Asphalt Program, 2017 Concrete Program, 2017 Sewer Repair Program, 2017 Sewer Rehabilitation Program, 2017 Sidewalk Program, 2017 Catch Basin Repair Program and the Hansford Road water main replacement.

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

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

Meeting adjourned at 7:56 P.M.

Approved: March 20, 2017

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

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