

Lyndhurst, Ohio  
November 6, 2017

The Council of the City of Lyndhurst held its Regular Meeting on Monday, November 6, 2017 at 7:35 P.M., Vice Mayor Joseph A. Marko, presiding.

Members Present: Council Representatives, L. A. Schlessel, J. Price,  
J. A. Gambatese, D. A. Frey, C. A. LoPresti.

Others Present: P. A. Ward, Mayor;  
P. T. Murphy, Director of Law;  
R. F. Porrello, Chief of Police;  
A. Fioritto, Director of Service;  
M. A. Kovalchik, Director of Finance;  
M. J. Carroll, Chief of Fire;  
J. Maichle, Building Commissioner;  
K. L. Miller, Assistant Clerk of Council.

Absent: Council Representative, S. Grushetsky.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Monday, November 6, 2017, copies of which were distributed to all Members, be dispensed with and said minutes stand approved as circulated.

The question was put to a voice vote and passed, with Mr. Schlessel abstaining.

**MAYOR'S REPORT** – Mayor Ward announced the annual Halloween Party was held on October 21, 2017. He thanked everyone who pitched in to make it a fun for the kids, especially the Finance Department and Community Center staff.

Mayor Ward stated Coffee with Cops was held on October 28, 2017 at Grace Tabernacle Baptist Church. He gave special thanks to Reverend Wayne Dawson who is the interim Pastor at the church. He also acknowledged the Cleveland Clinic partnership for hosting the event. Mayor Ward expressed what a great opportunity this was for the community and explained how teenagers from Brush were able to talk with police officers.

Mayor Ward noted the shredding event also took place on Saturday October 28<sup>th</sup>. He added this is something our residents really appreciate.

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

**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 was absent; therefore, he had no report.

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

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

**PLANNING COMMISSION** – Councilman Frey had no report; he noted the next meeting has been scheduled for November 14, 2017 beginning at 7:30pm.

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

It was moved by Mr. Schlessel seconded by Mr. Frey, that Resolution No.2017-80 be added to the Agenda.

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

Motion carried.  
Resolution No. 2017-80 is added to the Agenda.

The meeting was opened to public comment.

Eunice Horton, 1121 Brainard Road, a 50 year resident, expressed how grateful she is for the public comment time and has used it many times to express her approval, and sometimes disapproval, of the progress our city has made. She aired how the present Council men along with administrators, department heads and employees have helped maintain that Lyndhurst is a city to be a desirable community in which to have a home and raise a family. Mrs. Horton commented that tomorrow is Election Day. She spoke directly to Council when she said four of you are up for re-election, two unopposed. She wished them all luck and will pray come January 2018 they will all be here again. Mrs. Horton noted there is an old saying which goes “if it ain’t broke, don’t fix it”.

Linda Radkowsky, 1152 Irene Road, stated she recently called police because her neighbor was removing a trellis and pavers from her yard. Ms. Radkowsky gave praise to Chief Porrello as well as the responding officer adding he showed true integrity.

Ms. Radkowsky has a memorial in her yard to honor family members that served the country, and she doesn’t take lightly to anyone disrespecting it. She commented that her husband had a saying to respect the country, fly the flag and vote. She further commented that if he was alive today he would say don’t take a knee.

Ms. Radkowsky asked that her neighbor’s fence be inspected. She also added that November 11<sup>th</sup> is Veteran’s Day and said to thank a Veteran and to vote.

Elyzabeth DeGiovanni, 5169 Thornbury, inquired about Resolution 2017-79, asking whether this legal entity will be replacing the current attorneys or is this in addition.

Mayor Ward responded this is for a specific project.

Ms. DeGiovanni wanted to know if Ordinance 2017-76 includes parking on public property and asked for clarification about parking on the grass if stones are put down.

Mayor Ward explained this Ordinance only changes the offense code allowing officers to give a citation for parking on the grass. He further explained this does not change the building code, in which you still need to obtain a permit before making any changes to your property.

**RESOLUTION NO. 2017-75  
INTRODUCED BY: MAYOR AND COUNCIL AS A WHOLE**

**A RESOLUTION HONORING VINCENT DECRANE FOR HIS  
DEDICATED SERVICE TO THE CITY OF LYNDBURST AS A MEMBER  
OF THE PLANNING COMMISSION**

It was moved by Mr. Frey, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2017-75 be placed on third reading for final adoption and that it be read in its entirety.

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

Motion carried.  
Rules Suspended.

Resolution No. 2017-75 was read in its entirety by Mrs. Miller.

It was moved by Mr. LoPresti, seconded by Mr. Frey, that Resolution No. 2017-75 be passed.

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

Motion carried.  
Resolution No. 2017-754 is passed.

**ORDINANCE NO: 2017-76  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING SECTION 452.03 OF THE  
CODIFIED ORDINANCES TITLED "PROHIBITED STANDING OR  
PARKING PLACES" AND DECLARING AN EMERGENCY**

It was moved by Mr. Frey, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2017-76 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2017-76 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Ordinance No. 2017-76 be passed.

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

Motion carried.  
Ordinance No. 2017-76 is passed.

**ORDINANCE NO: 2017-77**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH GREAT LAKES CRUSHING, LTD., FOR THE MUNICIPAL CENTER PARKING LOT EXPANSION PROJECT, 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. 2017-77 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2017-77 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. LoPresti, that Ordinance No. 2017-77 be passed.

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

Motion carried.  
Ordinance No. 2017-77 is passed.

**ORDINANCE NO: 2017-78**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH RONYAK PAVING, INC., FOR THE 2017 ASPHALT PROGRAM, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, 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. 2017-78 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2017-78 was highlighted by Mrs. Miller, with Section 6 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Ordinance No. 2017-78 be passed.

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

Motion carried.  
Ordinance No. 2017-78 is passed.

**ORDINANCE NO: 2017-79**  
**INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO RETAIN RANALLO & AVENI, LLC, TO PROVIDE LEGAL SERVICES TO THE CITY AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2017-79 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2017-79 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Gambatese, that Ordinance No. 2017-79 be passed.

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

Motion carried.  
Ordinance No. 2017-79 is passed.

**RESOLUTION NO: 2017-80**  
**INTRODUCED BY: MAYOR WARD AND COUNCIL AS A WHOLE**

**A RESOLUTION REQUESTING THE STATE OF OHIO AND THE OHIO DEPARTMENT OF EDUCATION REVISE THE EXISTING SYSTEM OF ACCOUNTABILITY TO ONE WHICH ACCURATELY MEASURES HOW WELL PUBLIC SCHOOLS ARE FULFILLING THEIR PRIMARY ROLE OF DEVELOPING PRODUCTIVE CITIZENS**

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. 2017-80 be placed on third reading for final passage and that it be read in its entirety.

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

Motion carried.  
Rules Suspended.

Resolution No. 2017-80 was read in its entirety by Mayor Ward.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Resolution No. 2017-80 be passed.

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

Motion carried.  
Resolution No. 2017-80 is passed.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that pursuant to O.R.C. 121.22 (G)(3), Council convene in Executive Session (closed to the public) to discuss pending and imminent litigation.

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

Motion carried.  
Council recessed to Executive Session at 8:00 P.M.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese that the Executive Session of Council recess and Council reconvene in its Regular Meeting.

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

Motion carried.  
Council reconvened in its Regular Meeting at 8:15 P.M.

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

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

Meeting adjourned at 8:16 P.M.

Approved: November 20, 2017

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

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