

Lyndhurst, Ohio
April 2, 2018

The Council of the City of Lyndhurst held its Regular Meeting on Monday, April 2, 2018 at 7:33 P.M., Vice Mayor David A. Frey, presiding.

Members Present: Council Representatives, L. A. Schlessel, J. Price,
J. A. Gambatese, S. Grushetsky, C. A. LoPresti.

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

Absent: Council Representative J. A. Marko;
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Monday, March 19, 2018, 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. LoPresti abstaining.

MAYOR'S REPORT – Mayor Ward shared that he recently attended a meeting held at the Educational Services Center of Cuyahoga County hosted by the Ohio Department of Education. This was one of five listening and review sessions taking place around the state to discuss the strategic plan. He mentioned he was seated next to our State Board of Education Representative along with educators and parents and felt fortunate to give feedback regarding the state of affairs. Mayor Ward also noted he was able to talk to Representative Kent Smith about House Bill 70. He suggested legislature disband or put a hold on HB 70 explaining that if a school district gets a score of three F's, there will be a state takeover which is not effective citing both the cities of Youngstown and Lorain as examples.

Mayor Ward announced the Lyndhurst Life magazine is being finalized and it should be in mailboxes by the next Council meeting.

Mayor Ward hopes everyone had a wonderful Easter and blessed Passover!

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 had no report.

SAFETY COMMITTEE – Chairman LoPresti had no report.

LEGISLATIVE COMMITTEE – Chairman Marko was absent; therefore, he did not have a report.

PLANNING COMMISSION – Chairman LoPresti had no report for the Planning Commission; however, he announced the Architectural Board of Review met on March 15, 2018. The purpose of the meeting was to elect Chairperson Eric Newland and Secretary David Bader. Mr. LoPresti noted others present were Mayor Ward, Building Commissioner John Maichle and committee member Nicholas DeBaltzo.

Mr. LoPresti reported proposed alterations and addition to an existing dwelling at 5256 Spencer Road were reviewed and approved. He further stated the proposed resurfacing of the existing retail strip sign fascia and new tenant sign program at 5412 Mayfield Road was also reviewed and approved.

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

The meeting was opened to public comment.

Pete Allison, 5012 North Sedgewick Road, thanked the City of Lyndhurst and Council Representative Steve Grushetsky for helping him during his time in the hospital. He explained that for the past seven months he was completely paralyzed from the neck down and Mr. Grushetsky offered his moral support as well as helped him with his mail. Mr. Allison is very appreciative to everyone involved.

Linda Radkowsky, 1152 Irene Road, a 45 year resident, voiced that Lyndhurst, Ohio made the national news regarding their proactive legislation efforts on Bed and Breakfast Inns by producing an Ordinance which protects the residents, the city and the owner. She referenced a recent tragedy in Mexico where a family lost their lives at an Air BNB. Ms. Radkowsky is thankful it has worked out in Lyndhurst and expressed how important it is to get involved in the community. She also hopes the fence issue has a positive resolve.

Sally Lang, 5288 Chickadee Lane, stated she noticed a SWAT team on Winchester and asked for any further information.

Mayor Ward explained there was drug activity and the residents were arrested.

Ms. Lang inquired about Beachwood mall and the shootings stating she is concerned about safety.

Mayor Ward referenced the recent incident when the mall went on lock down. He commented that although the situation is unfortunate, these things can happen anywhere and we have to be vigilant.

Chief Porrello pointed out the shooting outside the mall was not a random event noting the individuals involved had some relationship to each other.

Mayor Ward added these are not crimes of opportunity and reiterated that we should feel safe going to the mall.

Eunice Horton, 1121 Brainard Road, a 51 year resident, expressed how lucky we are to have all the services the city has to offer. She referenced a time in January when she had to take an ambulance to the hospital. Mrs. Horton declared Lyndhurst to be a wonderful place!

Vice Mayor Frey introduced Terry Killeen, External Affairs Manager from First Energy, who spoke to Council about available Customer Assistance Programs. He distributed a brochure which outlines many of the programs offered for residents. Copies of the brochure will be placed in both the lobby of City Hall and the Community Center.

Mayor Ward thanked Mr. Killeen for the information he provided and for his years of service to the community as he will be transitioning to another area within his company. Mayor Ward expressed his appreciation for the representation and connectivity that has been provided by Mr. Killeen, seconded by Vice Mayor Frey.

SECOND READING

ORDINANCE NO: 2018-18

INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AMENDING CHAPTER 1176 OF THE ZONING CODE OF THE CITY TITLED "SUPPLEMENTARY REGULATIONS" BY AMENDING SECTION 1176.07 REGARDING PROHIBITED USES

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Ordinance No. 2018-18 be placed on second reading.

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

Motion carried.
Ordinance No. 2018-18 is placed on second reading.

ORDINANCE NO: 2018-20

INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AMENDING SECTION 957.02 OF THE CODIFIED ORDINANCES REGARDING SWIMMING POOL ADMISSION FEES FOR 2018, 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. 2018-20 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-20 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. LoPresti, that Ordinance No. 2018-20 be passed.

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

Motion carried.
Ordinance No. 2018-20 is passed.

**RESOLUTION NO. 2018-21
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION ESTABLISHING THE TERMS OF RECIPROCITY
WITH THE CITY OF SOUTH EUCLID DURING THE 2018 POOL SEASON**

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. 2018-21 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2018-21 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Resolution No. 2018-21 be adopted.

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

Motion carried.
Resolution No. 2018-21 is adopted.

**RESOLUTION NO. 2018-22
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A
CONTRACT WITH MICHAEL BUTTS DBA TASTEFUL SENSATIONS LLC FOR
CONCESSIONAIRE SERVICES DURING THE 2018 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. 2018-22 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2018-22 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Resolution No. 2018-22 be adopted.

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

Motion carried.
Resolution No. 2018-22 is adopted.

**ORDINANCE NO. 2018-23
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AUTHORIZING THE MAYOR TO CONTINUE THE AGREEMENT WITH A COUNCIL OF GOVERNMENTS COMPOSED OF THE CITIES OF SOUTH EUCLID, HIGHLAND HEIGHTS, LYNDHURST AND MAYFIELD HEIGHTS, AND THE VILLAGE OF MAYFIELD, PROVIDING FOR THE CONTINUATION OF THE COMMUNITY PARTNERSHIP ON AGING, 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. 2018-23 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-23 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. Gambatese, that Ordinance No. 2018-23 be passed.

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

Motion carried.
Ordinance No. 2018-23 is passed.

**RESOLUTION NO. 2018-24
INTRODUCED BY: ADMINISTRATION**

A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF LYNDHURST, OHIO AND THE LYNDHURST FIREFIGHTERS ASSOCIATION, LOCAL 1676 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AND RATIFYING AND APPROVING THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, 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. 2018-24 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2018-24 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Resolution No. 2018-24 be adopted.

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

Motion carried.
Resolution No. 2018-24 is adopted.

**ORDINANCE NO. 2018-25
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING ORDINANCE NO. 2018-17 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. 2018-17 INCONSISTENT HEREWITH, 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. 2018-25 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-25 was highlighted by Mrs. Miller, with Section 15 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Ordinance No. 2018-25 be passed.

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

Motion carried.
Ordinance No. 2018-25 is passed.

Correspondence from the Ohio Division of Liquor Control permit to Bangkok Thai Cuisine, Inc. DBA Bangkok Thai Cuisine 5359 Mayfield Road, was noted with no hearing being requested.

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

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

Meeting adjourned at 8:05 P.M.

Approved: April 16, 2018

Attest: _____
Clerk of Council

Vice Mayor