

Lyndhurst, Ohio
May 21, 2018

The Council of the City of Lyndhurst held its Regular Meeting on Monday, May 21, 2018 at 7:32 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;
P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
M. J. Carroll, Chief of Fire;
T. Fioritto, Director of Service;
J. Maichle, Building Commissioner;
M. A. Kovalchik, Director of Finance;
K. L. Miller, Assistant Clerk of Council.

Absent: Council Representative J. A. Marko.

It was moved by Mr. Schlessel, seconded by Mr. Price, that the reading of the minutes of the Regular Meeting of Council held Monday, May 7, 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 unanimously.

It was moved by Mr. Schlessel, seconded by Mr. Price, that the reading of the minutes of the Special Meeting of Council held Monday, May 7, 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 unanimously.

Mayor Ward introduced Anthony Ramos from Northeast Ohio Public Energy Council (NOPEC). He announced that in addition to giving Lyndhurst a \$2,000 grant for Home Day entertainment, NOPEC also gives special recognition to those who work for municipal government. Mayor Ward stated this evening they are here to recognize the Director of Finance, Mary Kovalchik for her service to our community.

SPECIAL PRESENTATION – NOPEC

Anthony Ramos aired that since 2016 NOPEC has recognized the efforts of over 20 Mayor's Assistants and 20 Council Clerk's as part of their Executive Assistant/Clerk of Council Recognition Program. He added that in 2018 they are recognizing the hard work of Finance Directors/Fiscal Officers in their communities.

Mr. Ramos presented Mary Kovalchik with a certificate to recognize her hard work and assistance to NOPEC. He also shared a quote from Mayor Ward:

“Mary Kovalchik is one of the most dedicated and accomplished Finance Directors I have had the opportunity to work with. She approaches every issue with a tenacity rooted in her desire to provide the best service to residents possible. She has been an active member and officer of the Municipal Finance Officers’ Association and is beyond highly respected by her peers as well as those who visit our City for audit. Her ability to provide our City Council and Administration budgets, forecasts and most importantly cautions has been an invaluable tool to our community’s financial health. It is a privilege to recommend Mary for recognition.”

MAYOR’S REPORT – Mayor Ward announced the Dad’s Club Parade was held on Sunday to kick off their 52nd season. He added the Dad’s Club does a great job teaching the fundamentals of baseball and more importantly good sportsmanship.

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. He did remind everyone of the Community CPR Class being offered on Tuesday, May 22nd from 6-7pm at the Community Center. Mr. LoPresti stated to call Clarice at City Hall to register.

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

PLANNING COMMISSION – Chairman LoPresti had no report.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Resolution No. 2018-42 and 2018-43 be added to the Agenda.

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

Motion carried.
Resolution No. 2018-42 and 2018-43 are added to the Agenda.

Vice Mayor Frey noted both Resolutions 2018-42 and 2018-43 would be moved to the beginning of the legislation portion of the Agenda.

The meeting was opened to public comment.

There was no public comment.

Vice Mayor Frey advised Council would be tabling the confirmation of the decision of the Board of Zoning Appeals in Case No. 2018-04 and 2018-05 allowing both cases to be reviewed by the Planning Commission.

**RESOLUTION NO. 2018-42
INTRODUCED BY: MAYOR WARD AND ALL MEMBERS OF COUNCIL**

**A RESOLUTION DECLARING MAY 21 THROUGH MAY 26, 2018 AS
“NATIONAL PUBLIC WORKS WEEK” IN THE CITY OF LYNDBURST**

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2018-42 be placed on third reading for final adoption and that it be read in its entirety.

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

Motion carried.
Rules Suspended.

Resolution No. 2018-42 was read in its entirety by Mrs. Miller.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Resolution No. 2018-42 be adopted.

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

Motion carried.
Resolution No. 2018-42 is adopted.

**RESOLUTION NO. 2018-43
INTRODUCED BY: MAYOR WARD AND ALL MEMBERS OF COUNCIL**

**A RESOLUTION EXPRESSING COMMENDATION AND SINCERE
APPRECIATION TO NICHOLAS COVELLI FOR LONG AND FAITHFUL
SERVICE TO THE RESIDENTS OF LYNDBURST AS MEMBER OF THE
LYNDBURST SERVICE DEPARTMENT**

It was moved by Mr. Schlessel, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2018-43 be placed on third reading for final adoption and that it be read in its entirety.

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

Motion carried.
Rules Suspended.

Resolution No. 2018-43 was read in its entirety by Mrs. Miller.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Resolution No. 2018-43 be adopted.

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

Motion carried.
Resolution No. 2018-43 is adopted.

ORDINANCE NO. 2018-39
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A PERMANENT SANITARY AND STORM SEWER EASEMENT FROM BL PROPERTIES, LTD. ACROSS CUYAHOGA COUNTY PERMANENT PARCEL NOS. 713-12-005 AND 713-12-006 IN ORDER TO CONSTRUCT, REPAIR, MAINTAIN, INSPECT AND SURVEY SAID SEWERS AND APPURTENANCES

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. 2018-39 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-39 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Ordinance No. 2018-39 be passed.

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

Motion carried.
Ordinance No. 2018-39 is passed.

ORDINANCE NO. 2018-40
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT EXTINGUISHING A PERMANENT SANITARY AND STORM SEWER EASEMENT ACROSS THE PROPERTY KNOWN AS CUYAHOGA COUNTY PERMANENT PARCEL NOS. 713-12-005 AND 713-12-006

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. 2018-40 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2018-40 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Ordinance No. 2018-40 be passed.

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

Motion carried.
Ordinance No. 2018-40 is passed.

**RESOLUTION NO. 2018-41
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO RETAIN KELLEY &
FERRARO, LLP, TO PROVIDE LEGAL SERVICES TO THE CITY 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 Resolution No. 2018-41 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2018-41 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. 2018-41 be adopted.

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

Motion carried.
Resolution No. 2018-41 is adopted.

Board of Zoning Appeals Recommendations:

Recommendation made to Council to confirm the decision of the Board in Case No. 2018-03 to grant requested variance from the provisions of Section 1160.04 (6) A (Accessory Uses, Buildings and Structures) of the Planning and Zoning Code to Gustav and Frances Zettl for a variance at 1932 Bremerton Road one hundred sixty (160) square foot storage shed, in lieu of the one hundred twenty (120) square feet allowed.

The findings in Case No. 2018-03 as recorded in the minutes of the meeting of the Board of Zoning Appeals held May 14, 2018 were read by Mrs. Miller.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2018-03.

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

Motion carried.

Recommendation made to Council to confirm the decision of the Board in Case No. 2018-04 to deny requested variance from the provisions of Section 1170.18 (Electronic Moving Message / Digital Display Signs) of the Planning and Zoning Code to Nick Teriaca / Teriaca Properties, (Produce Place) for a variance located at 5564 Mayfield Road to have a moving / digital display sign in the Community Business District on a property that is under five (5) acres in area, has a front footage less than six hundred (600) feet and will have less than ten (10) businesses.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Council table Case No. 2018-04 and Case No. 2018-05 and refer them to the Planning Commission as both cases are in regards to digital display signs.

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

Motion carried.

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 7:50 P.M.

Approved: June 4, 2018

Attest: _____
Clerk of Council

Vice Mayor