

Lyndhurst, Ohio  
October 1, 2018

The Council of the City of Lyndhurst held its Regular Meeting on Monday, October 1, 2018 at 7:34 P.M., Vice Mayor David A. Frey, presiding.

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

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

Absent: R. F. Porrello, Chief of Police;  
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Marko, seconded by Mr. Price, that the reading of the minutes of the Regular Meeting of Council held Tuesday, September 4, 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. Gambatese abstaining.

**MAYOR'S REPORT** – Mayor Ward aired he received in the mail a copy of the article regarding Home Days with an anonymous note asking “is this the benefit of increasing city taxes”. He stated that in the 36 years he has been affiliated with this city and especially Home Day, the city’s contribution to the Home Day event has remained stagnant at \$15,000. Mayor Ward commented how every penny that produces this festival for our residents, above and beyond that fixed amount, is raised by the committee and he applauds them for their work.

Mayor Ward suggested if anyone has a question all you have to do is ask because we are very open and transparent.

Mayor Ward announced Council Coffee is this Saturday, October 6<sup>th</sup> from 9-11am, and he hopes everyone can attend. He stated a wonderful breakfast will be served and all of the departments will be present including the Division of Water, the Sewer District, NOPEC, and the Municipal Court as well as the city schools. He noted there will be a question and answer period during the event.

Mayor Ward commented the Business Appreciation Mixer is on Wednesday, October 10<sup>th</sup> from 5-8pm.

Mayor Ward stated there will be an Opioid Crisis in the Workplace workshop on October 11<sup>th</sup> at the Community Center.

Mayor Ward reminded everyone the next community shredding event is on October 27<sup>th</sup>.

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

**PUBLIC LANDS AND BUILDINGS COMMITTEE** – Chairman Price reported the committee met prior to the Council meeting and thanked those who attended. He stated there will be a couple of recommendations to come forward to Council from the meeting.

**ROADS AND UTILITIES COMMITTEE** – Chairman Gambatese did not have a report at this time.

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

**SAFETY COMMITTEE** – Chairman LoPresti did not have a formal report; however, he did have a few announcements. Mr. LoPresti reminded everyone Thursday October 4<sup>th</sup> is the next Red Cross Blood Mobile at the Community Center. He also stated on Thursday October 25<sup>th</sup> is the next CPR class also at the Community Center.

**LEGISLATIVE COMMITTEE** – Chairman Marko had nothing to report.

**PLANNING COMMISSION** – Chairman LoPresti stated the committee has not met since the last meeting; therefore he had nothing to report.

**SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION** – A representative was not present.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Resolution Number 2018-74 be added to the Agenda.

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

Motion carried.  
Resolution Number 2018-74 is added to the  
Agenda.

The meeting was opened to public comment.

Elyzabeth DeGiovanni, 5169 Thornbury, asked for an explanation of Resolution Number 2018-71 and questioned whether the city is making any money from the hotel.

Mayor Ward responded the legislation has to do with accepting a report from the Tax Incentive Review Committee that was formed to review the activities of our TIF, Tax Incentive Financing, for the parking garage. He stated the taxes collected from the hotel are actually payments in lieu of taxes. Mayor Ward explained how the city is just a pass through where the taxes come and we make payments. He noted the city does receive the occupancy tax while the income tax goes to the schools, for that facility.

Ms. DeGiovanni asked if there was going to be a public hearing on Ordinance No. 2018-64 regarding the electronic signs. She also commented the sign at City Hall is restrictive from the west because of the trees.

Vice Mayor Frey responded the public hearing will be on October 15<sup>th</sup> and the legislation will be tabled this evening.

**THIRD READING:**  
**ORDINANCE NO. 2018-64**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHAPTER 1170 OF THE ZONING CODE OF THE CITY TITLED “ELECTRONIC MOVING MESSAGE/DIGITAL DISPLAYS” BY AMENDING SECTION 1170.18 REGARDING ELECTRONIC MOVING MESSAGE/DIGITAL DISPLAY SIGNS**

It was moved by Mr. Schlessel, seconded by Mr. Marko, that Ordinance No. 2018-64 be tabled.

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

Motion carried.  
Ordinance No. 2018-64 is tabled.

**RESOLUTION NO. 2018-71**  
**INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION ACCEPTING AND APPROVING THE FINDINGS AND RECOMMENDATIONS OF THE TAX INCENTIVE REVIEW COUNCIL FOR THE LYNDHURST TAX INCREMENT FINANCING AGREEMENT REGARDING THE HOTEL AT LEGACY VILLAGE, AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2018-71 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2018-71 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. 2018-71 be adopted.

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

Motion carried.  
Resolution No. 2018-71 is adopted.

**ORDINANCE NO. 2018-72  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST FOR THE PERIOD ENDING DECEMBER 31, 2018 REPEALING ORDINANCE NO. 2018-53 AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-72 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-72 was highlighted by Mrs. Miller, with Section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti that Ordinance No. 2018-72 be passed.

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

Motion carried.  
Ordinance No. 2018-72 is passed.

**ORDINANCE NO. 2018-73  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH TC CONSTRUCTION CO., INC. FOR THE 2018 CONCRETE PROGRAM, 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. 2018-73 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-73 was highlighted by Mrs. Miller, with Section 6 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese that Ordinance No. 2018-73 be passed.

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

Motion carried.  
Ordinance No. 2018-73 is passed.

**RESOLUTION NO. 2018-74  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF LYNDHURST, OHIO AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (FULL-TIME DISPATCHERS), AUTHORIZING THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, AND DECLARING AN EMERGENCY**

It was moved by Mr. Gambatese, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2018-74 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2018-74 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Resolution No. 2018-74 be adopted.

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

Motion carried.  
Resolution No. 2018-74 is adopted.

**Board of Zoning Appeals Recommendation:**

Recommendation made to Council to confirm the decision of the Board in Case No. 2018-09 that the proposed fence meets the requirements of Section 1329.03, determining the fence meets the fifty (50) percent open criteria, and therefore does not require a variance.

It was moved by Mr. Schlessel, seconded by Mr. Marko, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2018-09.

Roll Call: Yeas: Schlessel, Price, Gambatese, Grushetsky, Marko, 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 7:49 P.M.

Approved: October 15, 2018

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

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