

Lyndhurst, Ohio  
November 5, 2018

The Council of the City of Lyndhurst held its Regular Meeting on Monday, November 5, 2018 at 7:32 P.M., Vice Mayor David A. Frey, presiding.

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

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;  
K. L. Miller, Assistant Clerk of Council.

Absent: Council Representative J. A. Gambatese;  
Council Representative C. A. LoPresti;  
M. A. Kovalchik, Director of Finance.

Vice Mayor Frey noted Mr. Gambatese is absent due to a business commitment.

It was moved by Mr. Marko, seconded by Mr. Schlessel, that the reading of the minutes of the Regular Meeting of Council held Monday, October 15, 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. Schlessel abstaining.

**MAYOR'S REPORT** – Mayor Ward announced the Community Partnership on Aging is celebrating their 40<sup>th</sup> Anniversary. He voiced this is a collaborative that started out with the three cities of Lyndhurst, Highland Heights and South Euclid, spear headed by Mayor D'Amico. He remarked they are now celebrating 40 years with the addition of both Mayfield Heights and Mayfield Village, which makes a collaborative of five cities. Mayor Ward aired this weekend is the annual 5-Alarm Chili Cook-Off where the Fire Departments from each of the five communities enter a chili to be judged. He is hoping, with the assistance of the head chef from the Lyndhurst Grill by J. Alexander's, to submit a winning entry this year. Mayor Ward stated there will be dinner and dancing following the chili cook-off. He indicated the event is all sold out which is wonderful news for our community partnership and wished everyone the best of luck!

**FINANCE COMMITTEE** – Chairman Schlessel did not have a report at this time.

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

**ROADS AND UTILITIES COMMITTEE** – Chairman Gambatese was absent; therefore, there was no report given.

**SERVICE AND SEWERS COMMITTEE** – Chairman Grushetsky had nothing to report.

**SAFETY COMMITTEE** – Chairman LoPresti was absent; therefore, there was no report.

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

**PLANNING COMMISSION** – Chairman LoPresti was absent; therefore, there was no report given.

**SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION** – A representative from the school board was not present.

The meeting was opened to public comment.

Elyzabeth DeGiovanni, 5169 Thornbury, asked for consideration to the budget for the addition of mulch in front of the Community Center and include better soil for the flowers to grow.

Ms. DeGiovanni asked for an explanation of Ordinance 2018-89.

Mayor Ward responded the Ordinance is up for Councils consideration and will only be on first reading. He noted it is a tax increment fund and he does not want to talk more about it until the school board acknowledges they have received it.

Ms. DeGiovanni asked if there was any idea when the bus barn is going to be built.

Mayor Ward responded they were on their last approval with the City of South Euclid.

E. Dale Inkley, 5126 E. Farnhurst, asked for further information regarding the incident that took place on Halloween.

Mayor Ward responded two young men were attacked on Meadow Wood for their candy and a cell phone by people from outside our community. He expressed this is an unfortunate incident and there is an ongoing investigation.

Vice Mayor Frey announced special guest Sunny Simon would like to address Council this evening with some updates from the County level.

Sunny Simon, Cuyahoga County Council Representative, aired the County has three Charter Amendments on the ballot tomorrow; 10, 11 and 12. She explained both 10 and 11 relate to their internal audit that the human resources and PRC committees need to straighten out. She is hopeful these will be supported.

Ms. Simon stated the third one is the most important having to do with the Inspector General Amendment. She remarked when they first took office, one of the main priorities was to get mechanisms in place to prevent, as much as possible, future County corruption. Ms. Simon commented how they put into place a Director position for Inspector General. She explained the position was not truly independent, so any executive or new Council could come in and wipe out that Inspector General position. She indicated they felt it to be

extremely important to have a stand-alone, independent office that will be funded and be able to continue on in perpetuity to enforce the ethics policy. Ms. Simon acknowledged that due to human nature, you can never stop irregularities with people; all they can do is put everything in place to be able catch things and enforce it. She hopes that everyone supports this Amendment.

Ms. Simon announced the supplemental grant application is due November 30<sup>th</sup> and hopes the Mayor and Council can provide the County with a project up to fifty thousand dollars (\$50,000). She expressed she would be happy to prepare a letter of recommendation on behalf of Lyndhurst to receive that grant. Ms. Simon explained this is from the Casino Revenue Fund that was put out there to support community based development projects.

Ms. Simon mentioned MetroHealth is going through their budgetary process. She noted they are doing extremely well with the expansion of their main campus which is much more than a hospital. Ms. Simon commented how they are supporting an entire community allowing residents in every city to have access to clinics; 97 % are within 10 miles. She added Dr. Boutros is doing an amazing job creating a vibrant hospital.

Ms. Simon indicated she will keep Council updated on available grant opportunities Lyndhurst might need. She wished everyone a happy holiday!

Mayor Ward mentioned the community shredding event took place over the past weekend. He commented Councilman and Mrs. Price, Councilman Grushetsky, and Councilman Gambatese were there to help. Mayor Ward remarked how this is a tremendous service our residents really enjoy!

**ORDINANCE NO. 2018-79**

**INTRODUCED BY: COUNCIL MEMBERS LANE SCHLESSEL AND CHARLES LOPRESTI**

**AN ORDINANCE AMENDING CHAPTER 672 OF THE CODIFIED ORDINANCES OF THE CITY TITLED WEAPONS BY AMENDING SECTIONS 672.01, 672.03 AND 672.09, AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Marko, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-79 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-79 was highlighted by Mrs. Miller, with Section 6 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price that Ordinance No. 2018-79 be passed.

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

Motion carried.  
Ordinance No. 2018-79 is passed.

**ORDINANCE NO. 2018-80  
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. 2018-77 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. 2018-80 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-80 was highlighted by Mrs. Miller, with Section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price that Ordinance No. 2018-80 be passed.

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

Motion carried.  
Ordinance No. 2018-80 is passed.

**ORDINANCE NO. 2018-81  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE CREATING THE POSITION OF CITY ENGINEER FOR THE PERIOD BEGINNING JANUARY 1, 2019 AND ENDING DECEMBER 31, 2020; FIXING THE DUTIES AND COMPENSATION FOR SAID POSITION; PROVIDING FOR THE MAYOR TO CONTRACT FOR OTHER MUNICIPAL ENGINEERING SERVICES FOR THE CITY; AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-81 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-81 was highlighted by Mrs. Miller, with Section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price that Ordinance No. 2018-81 be passed.

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

Motion carried.  
Ordinance No. 2018-81 is passed.

**ORDINANCE NO. 2018-82  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH  
TEAMCRAFT ROOFING, INC., FOR THE LYNDHURST SERVICE GARAGE  
AND WEST ENTRANCE TO CITY HALL ROOF REPAIR 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. 2018-82 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-82 was highlighted by Mrs. Miller, with Section 6 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price that Ordinance No. 2018-82 be passed.

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

Motion carried.  
Ordinance No. 2018-82 is passed.

**RESOLUTION NO. 2018-83  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO ACCEPT A GRANT  
FROM THE FEDERAL EMERGENCY MANAGEMENT AGENCY AND THE**

**DEPARTMENT OF HOMELAND SECURITY PURSUANT TO THE FISCAL YEAR 2017 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM TO FUND THE OPERATING AND SAFETY PROGRAM, AUTHORIZING THE EXPENDITURE OF THE LOCAL SHARE, AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2018-83 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2018-83 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. 2018-83 be adopted.

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

Motion carried.  
Resolution No. 2018-83 is adopted.

**RESOLUTION NO. 2018-84  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION RATIFYING AND ADOPTING THE CITY'S CREDIT CARD POLICY AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Grushetsky, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2018-84 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2018-84 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Resolution No. 2018-84 be adopted.

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

Motion carried.  
Resolution No. 2018-84 is adopted.

**ORDINANCE NO. 2018-85  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING ORDINANCE NO. 2018-76 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. 2018-76 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Grushetsky, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-85 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-85 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. 2018-85 be passed.

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

Motion carried.  
Ordinance No. 2018-85 is passed.

**ORDINANCE NO. 2018-86  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING ORDINANCE NO. 2018-69 WHICH ESTABLISHED THE SALARY, COMPENSATION, AND HOURLY RATES OF PAY FOR NON-BARGAINING EMPLOYEES IN THE VARIOUS OFFICES AND DEPARTMENTS, INCLUDING MEMBERS OF BOARDS AND COMMISSIONS, AND WHICH CONFIRMED LONGEVITY COMPENSATION, VACATIONS, HOLIDAYS AND OTHER BENEFITS, IN THE CITY OF LYNDHURST, OHIO, REPEALING CERTAIN SECTIONS OF ORDINANCE NO. 2018-69 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY**

It was moved by Mr. Grushetsky, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2018-86 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-86 was highlighted by Mrs. Miller, with Section 14 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. Grushetsky that Ordinance No. 2018-86 be passed.

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

Motion carried.  
Ordinance No. 2018-86 is passed.

**ORDINANCE NO. 2018-87**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHAPTER 159 OF THE CODIFIED ORDINANCES OF THE CITY TITLED "EMPLOYEES GENERALLY" BY AMENDING SECTION 159.10 CAPTIONED VACATION AND HOLIDAYS, 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. 2018-87 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-87 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price that Ordinance No. 2018-87 be passed.

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

Motion carried.  
Ordinance No. 2018-87 is passed.



**ORDINANCE NO. 2018-88  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHAPTER 159 OF THE CODIFIED  
ORDINANCES OF THE CITY TITLED "EMPLOYEES GENERALLY" BY  
AMENDING SECTION 159.11 CAPTIONED SICK LEAVE 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. 2018-88 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2018-88 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. Grushetsky that Ordinance No. 2018-88 be passed.

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

Motion carried.  
Ordinance No. 2018-88 is passed.

**ORDINANCE NO. 2018-89  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE DECLARING IMPROVEMENTS TO A CERTAIN  
PARCEL OF REAL PROPERTY TO BE A PUBLIC PURPOSE, DESCRIBING THE  
PUBLIC IMPROVEMENTS TO BE MADE TO DIRECTLY BENEFIT SUCH  
PARCEL, REQUIRING THE OWNER OF THE IMPROVEMENTS ON SUCH  
PARCEL TO MAKE SERVICE PAYMENTS IN LIEU OF TAXES, ESTABLISHING  
A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT  
FUND FOR THE DEPOSIT OF SUCH SERVICE PAYMENTS, AND RELATED  
AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40,  
5709.42 AND 5709.43; AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Marko, that Ordinance No. 2018-89 be placed on first reading.

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

Motion carried.  
Ordinance No. 2018-89 is placed on first  
reading.

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

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

Meeting adjourned at 8:05 P.M.

Approved: November 19, 2018

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

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