

Lyndhurst, Ohio
February 4, 2019

The Council of the City of Lyndhurst held its Regular Meeting on Monday, February 4, 2019 at 7:31 P.M., Vice Mayor David A. Frey, presiding.

Members Present: Council Representatives J. Price, J. A. Gambatese,
J.A. Marko, 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;
K. L. Miller, Assistant Clerk of Council.

Absent: Council Representative L. A. Schlessel;
Council Representative S. Grushetsky;
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that the reading of the minutes of the Organizational Meeting of Council held Monday, January 21, 2019, 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. Marko abstaining.

MAYOR'S REPORT – Mayor Ward announced we all survived the polar vortex! He commented while many organizations trimmed back their operations, our employees were out doing a fantastic job taking care of our residents. Mayor Ward stated the service department made modifications on operations to accommodate the extreme temperatures. He acknowledged both the police and fire departments never get a break. Mayor Ward expressed how appreciative he is of everyone for stepping up and noted there were a lot of well-deserved compliments.

FINANCE COMMITTEE – Chairman Schlessel was absent; therefore, there was no report. Vice Mayor Frey did remind all members of Council to schedule their budget meetings as soon as possible.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Price announced the committee met prior to Council this evening to discuss the upcoming pool season. A copy of the report is forthcoming and will be made a part of the permanent record.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese did not have a report; however, he announced his committee will be meeting on February 18th at 6:30pm coordinating with the Service and Sewers Committee.

SERVICE AND SEWERS COMMITTEE – Chairman Grushetsky was absent; therefore, there was no report given.

SAFETY COMMITTEE – Chairman LoPresti aired the next bloodmobile is February 7th at the Community Center, the next CPR class will be March 6th at the Community Center, and his committee meeting will also be on February 18th. Mr. LoPresti stated he already met with Chief Porrello and is going to meet with Chief Carroll briefly to discuss capital requests.

LEGISLATIVE COMMITTEE – Chairman Marko did not have anything to report.

PLANNING COMMISSION – Chairman LoPresti stated he was unable to attend the last commission meeting; however, in his absence Mayor Ward reported they met in regard to the sign for Produce Place. He commented there is a recommendation on the Agenda this evening for that approval. Mayor Ward added the applicant met all of the criteria set up by the Planning Commission.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – Cassandra Jones began her report by wishing everyone a Happy New Year!

Mrs. Jones commented the buildings are busy and going full force. She indicated in an effort to provide information, each building has an Arc Initiative Profile on the website, which highlights specific achievements.

Mrs. Jones announced eleven Brush High School students attended the National Endowment of the Arts Big Read kickoff at the Maltz Center for Performing Arts. She stated English teacher, Sallie Fine, took the students to participate with 26 other area schools along with all 9 Cuyahoga County libraries. In conjunction with their study of Shakespeare, Mrs. Jones commented the students were privileged to hear writer Claudia Rankine speak. She mentioned the students asked Mr. Williamson to let them host a spoken word poetry assembly. Mrs. Jones explained this initiative was launched as a way to help the children broaden their understanding of the world, their communities and themselves through books.

Mrs. Jones shared that for the 5th year in a row, the Sunview students and staff raised money for cancer patients. She stated the event took place over a two-week period in December 2018, and brought in \$1,500, with the kindergarten class collecting the most.

Mrs. Jones stated the gifted 3rd graders across the district recently read a book by Supreme Court Associate Justice Sonia Sotomayor. She said they learned how to blog and even wrote to Justice Sotomayor. Mrs. Jones remarked the kids were surprised when the Judge responded by sending each student a signed photograph and a letter of gratitude acknowledging how honored she was they chose her!

Mrs. Jones mentioned to watch for the winter edition of the Arc Pride. She expressed Superintendent Reid is trying to maintain the platform that she is a reachable person, and wants to remind the community her door is always open.

Mrs. Jones highlighted two Brush seniors: Rebecca Rossi, who scored a perfect 36 on the ACT exam and Julia Kiefer, who was named a commended student for the 2019 National Merit Scholarship Program ranking her among 34,000 students nationwide who have achieved academic success.

Mrs. Jones mentioned the Board is meeting for a winter financial retreat in 2 weeks. She stated this is the first time they are bringing in an auditing company to give them a clear overview of how long they can go before a levy is needed. She noted they should have the results by the March meeting.

Mrs. Jones aired the Brown & Gold fundraiser will be Saturday, March 2nd at the Community Center. She mentioned the theme was changed from horse races to casino night.

Lastly, Mrs. Jones stated their Founders Day Event will be Thursday, February 13th at the Brush library and the cost is \$10 at the door.

The meeting was opened to public comment.

E. Dale Inkley, 5126 East Farnhurst Road, commented the pool concession stand is labor intensive and unnecessary. He stated the City needs to control their investment, despite public criticism, and close the stand. He remarked the biggest health problem in the United States is obesity, and here is a public institution selling high calorie food. Mr. Inkley urges Council to consider closing the concession stand and not to allow any outside food to come in. He noted this will help keep the pool clean!

**RESOLUTION NO. 2019-10
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 (NON-DISPATCH FULL-TIME PERSONNEL), RATIFYING AND APPROVING THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, DIRECTING THE PAYMENT OF COMPENSATION RETROACTIVELY IN ACCORDANCE WITH THE AGREEMENT, 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. 2019-10 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2019-10 was highlighted by Mrs. Miller, with Section 5 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. Gambatese, that Resolution No. 2019-10 be adopted.

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

Motion carried.
Resolution No. 2019-10 is adopted.

**ORDINANCE NO. 2019-11
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING ORDINANCE NO. 2018-98 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. 2018-98 INCONSISTENT HEREWITH, 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. 2019-11 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2019-11 was highlighted by Mrs. Miller, with Section 16 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. Gambatese that Ordinance No. 2019-11 be passed.

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

Motion carried.
Ordinance No. 2019-11 is passed.

ORDINANCE NO. 2019-12
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AMENDING SECTION 1305.01 OF THE CODIFIED ORDINANCES OF THE CITY OF LYNDHURST, OHIO PERTAINING TO THE NATIONAL ELECTRIC CODE, REPEALING ALL ORDINANCES INCONSISTENT HEREWITH, 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 for full reading, that Ordinance No. 2019-12 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2019-12 was highlighted by Mrs. Miller, with Section 4 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti that Ordinance No. 2019-12 be passed.

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

Motion carried.
Ordinance No. 2019-12 is passed.

**ORDINANCE NO. 2019-13
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING SECTION 1309.01 OF THE CODIFIED ORDINANCES OF THE CITY OF LYNDHURST, OHIO PERTAINING TO THE PLUMBING CODE OF OHIO, REPEALING ALL ORDINANCES INCONSISTENT HEREWITH, 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. 2019-13 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2019-13 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. 2019-13 be passed.

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

Motion carried.
Ordinance No. 2019-13 is passed.

**ORDINANCE NO. 2019-14
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING SECTION 1311.01 OF THE CODIFIED ORDINANCES OF THE CITY OF LYNDHURST, OHIO PERTAINING TO THE RESIDENTIAL CODE OF OHIO, REPEALING ALL ORDINANCES INCONSISTENT HEREWITH, 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. 2019-14 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2019-14 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. 2019-14 be passed.

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

Motion carried.
Ordinance No. 2019-14 is passed.

**RESOLUTION NO. 2019-15
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO RETAIN MANSOUR
GAVIN LPA TO PROVIDE LEGAL SERVICES TO THE CITY 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. 2019-15 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2019-15 was highlighted by Mrs. Miller, with Section 3 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Resolution No. 2019-15 be adopted.

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

Motion carried.
Resolution No. 2019-15 is adopted.

Planning Commission Recommendations:

Recommendation made to Council to grant a Conditional Use Permit to Mr. Chuck Zingale, representing Produce Place to allow a double sided, internally illuminated ground level sign with electronic message display.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Council confirm the decision of the Planning Commission and grant the conditional use permit.

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

Motion carried.

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

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

Meeting adjourned at 7:56 P.M.

Approved: February 18, 2019

Attest: _____
Clerk of Council

Vice Mayor