

Lyndhurst, Ohio
October 6, 2014

The Council of the City of Lyndhurst held its Regular Meeting on Monday, October 6, 2014 at 8:02 P.M., Vice Mayor Joseph A. Marko, presiding.

Members Present: Council Representatives J. A. Gambatese, C. A. LoPresti,
P. A. Ward, J. Price, L. A. Schlessel.

Others Present: P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
M. A. Kovalchik, Director of Finance;
F. E. Glady III, Director of Service;
L. M. Puskas, Building Inspector;
M. J. Carroll, Chief of Fire;
M. A. Franco, Assistant Clerk of Council.

Absent: Council Representative D. A. Frey;
J. M. Cicero, Jr., Mayor.

It was moved by Mr. Ward, seconded by Mr. Schlessel, that the reading of the minutes of the Regular Meeting of Council held Monday, September 15, 2014, copies of which were mailed to all Members, be dispensed with and said minutes stand approved as circulated.

The question was put to a voice vote and passed unanimously, with Mr. Schlessel abstaining.

MAYOR'S REPORT – Mayor Cicero was absent. Mr. Ward stated prior to the meeting the Mayor submitted to Council a request to confirm the appointment of Lesley Gordon to the Board of Zoning Appeals.

It was moved by Mr. Ward, seconded by Mr. Schlessel, that the appointment of Lesley Gordon to the Board of Zoning Appeals be confirmed.

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

Motion carried.

FINANCE COMMITTEE – Chairman Ward had no report; however, Mr. Ward explained the appropriations legislation on the Agenda. Mr. Ward further stated capital requests are due and committee chairs should schedule meetings with department heads after November 1st.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Schlessel had no report.

ROADS AND UTILITIES COMMITTEE – Chairman Price had no formal report; however, he stated the Service Department will be accepting a shipment of trees this week for the fall planting project.

SERVICE AND SEWERS COMMITTEE – Chairman Gambatese had no report.

SAFETY COMMITTEE – Chairman LoPresti stated The Lyndhurst Fire Department will assist residents over the age of 65 or the disabled with the installation of smoke detectors purchased by the resident, also the Lyndhurst Fire Department's new Smoke Detector Program offers free photoelectric smoke alarms plus installation to residents that meet the following criteria: 1.) Live in the City of Lyndhurst; 2.) Own and occupy your home; 3.) Are A) Elderly, B) On a fixed income, or C) Handicapped; 4.) Agree to have a Home Safety Evaluation done by a Fire Department representative, for further information contact Captain David Holtz.

Mr. LoPresti applauded the efforts of Chief Carroll for applying and receiving the 2014 Fire Act Grant for \$120,000.00 that will allow full replacement of all current breathing apparatus for the department.

LEGISLATIVE COMMITTEE – Chairman Ward had no report; however, Mr. Ward stated he will be calling a meeting prior to the next Council Meeting. Mr. Ward also explained the updated Ordinance 2014-64 on the Agenda regarding the feeding of deer.

PLANNING COMMISSION – Mr. Frey was absent; therefore, he had no report.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – Alfreda Wynne stated September 19 and 20 was Homecoming. The top 25 students from Brush were recognized at an assembly, later that day a parade and football game took place. Saturday was the dance, that was well attended and without incident.

Ms. Wynne reported that Fox 8 News was onsite before the Homecoming Game for a response to video that was posted on social media by Mayfield students that contained a racial slur. Ms. Wynne reported that the superintendents met to discuss the situation. Ms. Wynne happily reported Brush students conducted themselves respectfully during this trying time. Mayfield Schools and Police Department have identified the students at fault and are disciplining accordingly.

Ms. Wynne aired the following dates:

October 8th – State of Schools Presentation

October 16th – Excel TECC Open House

October 17th – No School

Mr. Marko commended the administration, staff and student body of Brush High School for the respectful behavior during the social media incident.

Ms. Wynne introduced Brian Blat and Alyssa Thompson, students of Arc Learning Academy. Brian and Alyssa shared the wonderful experiences they have had at the Arc Learning Academy.

The meeting was opened to public comment.

Elyzabeth DeGiovanni, 5169 Thornbury, inquired how the City gets reimbursed for nuisances.

Mr. Murphy explained amounts owed to the City are added to the homeowner's tax duplicate, and the county reimburses the City.

FIRST READING
ORDINANCE NO. 2014-64
INTRODUCED BY:
COUNCILMAN WARD

AN ORDINANCE AMENDING CHAPTER 618 OF THE CODIFIED ORDINANCES OF THE CITY ENTITLED "ANIMALS" BY AMENDING SECTION 618.24, AND DECLARING AN EMERGENCY

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Ordinance No. 2014-64 be placed on first reading.

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

Motion carried.
Ordinance No. 2014-64 is place on first reading.

ORDINANCE NO. 2014-65
INTRODUCED BY: ADMIN

TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LYNDBURST FOR THE PERIOD ENDING DECEMBER 31, 2014 REPEALING ORDINANCE NO. 2014-39 AND DECLARING AN EMERGENCY

It was moved by Mr. Ward, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2014-65 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2014-65 was highlighted by Mrs. Franco, with Section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Ward, that Ordinance No. 2014-65 be passed.

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

Motion carried.
Ordinance No. 2014-65 is passed

**RESOLUTION NO. 2014-66
INTRODUCED BY: MAYOR CICERO
AND ALL MEMBERS OF COUNCIL**

**A RESOLUTION EXPRESSING A VERY HAPPY 100TH BIRTHDAY TO
BETTY HAFELE**

It was moved by Mr. Ward, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2014-66 be placed on third reading for final adoption.

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

Motion carried.
Rules Suspended.

Resolution No. 2014-66 was read in its entirety by Mrs. Franco.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Resolution No. 2014-66 be adopted.

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

Motion carried.
Resolution No. 2014-66 is adopted.

**RESOLUTION NO. 2014-67
INTRODUCED BY: ADMIN**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN
AGREEMENT WITH THE CUYAHOGA COUNTY DEPARTMENT OF PUBLIC
WORKS TO PROVIDE PREVENTATIVE ROADWAY MAINTENANCE
PROJECTS IN THE CITY OF LYNDBURST FOR 2015 AND DECLARING AN
EMERGENCY.**

It was moved by Mr. Ward, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2014-67 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2014-67 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Ward, that Resolution No. 2014-67 be adopted.

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

Motion carried.
Resolution No. 2014-67 is adopted.

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

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

Approved: October 20, 2014

Meeting adjourned at 8:29 P.M.

Attest: _____
Clerk of Council

Vice Mayor