

Lyndhurst, Ohio
May 20, 2019

The Council of the City of Lyndhurst held its Regular Meeting on Monday, May 20, 2019 at 7:32 P.M., Vice Mayor David A. Frey, presiding.

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

Others Present: P. A. Ward, Mayor;
P. T. Murphy, Director of Law;
P. A. Rhode, Chief of Police;
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 L. A. Schlessel,
Council Representative J. A. Marko,
M. J. Carroll, Chief of Fire.

It was moved by Mr. Grushetsky, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Monday, May 6, 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. Gambatese abstaining.

The Oath of Office was administered to Police Lieutenant Christopher Cianciolo.

The Oath of Office was administered to Police Lieutenant Greg Traci.

The Oath of Office was administered to Police Sergeant Michael Scipione.

The Oath of Office was administered to Police Sergeant Matthew Eden.

MAYOR'S REPORT – Mayor Ward thanked Council for their accommodation in moving the previous Council meeting to the Community Center in order to facilitate the State of the City Address. He commented there were great write ups on Cleveland.com, the Sun Newspaper as well as the Cleveland Jewish News. Mayor Ward shared that he received thank you notes with one stating “how lucky we are to live in such a well-run city. Thank you and congratulations on your State of the City Address”. He remarked it was a great event and he was very pleased with the number of people in attendance. Again, Mayor Ward thanked Council, expressing it was well worth it!

FINANCE COMMITTEE – Chairman Schlessel was absent; therefore, no report was given.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Price did not have anything to report.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese did not have an official report; however, he mentioned the road projects are moving forward and there will be orange barrels around the city during the summer months.

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

SAFETY COMMITTEE – Chairman LoPresti did not have a formal report; however, he mentioned the next CPR class is being held on May 23rd at the Community Center starting at 6pm; the cost is \$35 for residents and \$45 for non-residents.

LEGISLATIVE COMMITTEE – Chairman Marko was absent; therefore, no report was given.

PLANNING COMMISSION – Councilman LoPresti stated the Commission met on May 16th to discuss changes to legislation with regard to tattooing and piercing within the City of Lyndhurst. He mentioned the Law Director will make changes to that Ordinance and circulate it back to the committee.

Mr. LoPresti acknowledged the Commission is recommending to Council to allow a conditional use permit under section 1160.03 and 1156 of the Planning and Zoning Code with regard to a group home, which is on the Agenda this evening.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – It was not the first meeting of the month; therefore, a report was not given from the school board.

There were no additions to the Agenda.

The floor was opened for public comment, with none being heard.

**ORDINANCE NO. 2019-39
INTRODUCED BY: ADMIN**

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF LYNDHURST FOR THE PERIOD ENDING DECEMBER 31, 2019 REPEALING ORDINANCE NO. 2019-36 AND DECLARING AN EMERGENCY

It was moved by Mr. Grushetsky, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2019-39 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2019-39 was highlighted by Mrs. Miller, with section 11 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti that Ordinance No. 2019-39 be passed.

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

Motion carried.
Ordinance No. 2019-39 is passed.

ORDINANCE NO. 2019-40
INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING ORDINANCE NO. 2018-86 WHICH ESTABLISHED THE SALARY, COMPENSATION, AND HOURLY RATES OF PAY FOR NON 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. 2018-86 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2019-40 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2019-40 was highlighted by Mrs. Miller, with section 14 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Gambatese that Ordinance No. 2019-40 be passed.

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

Motion carried.
Ordinance No. 2019-40 is passed.

RESOLUTION NO. 2019-41
INTRODUCED BY: MAYOR WARD AND ALL MEMEBERS OF COUNCIL

A RESOLUTION DECLARING MAY 19 THROUGH MAY 25, 2019 AS "NATIONAL PUBLIC WORKS WEEK" IN THE CITY OF LYNDHURST

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2019-41 be placed on third reading for final adoption and that it be read in its entirety.

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

Motion carried.
Rules Suspended.

Resolution No. 2019-41 was read in its entirety by Mrs. Miller.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Resolution No. 2019-41 be adopted.

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

Motion carried.
Resolution No. 2019-41 is adopted.

**ORDINANCE NO. 2019-42
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING SECTION 1363.11 OF THE CODIFIED
ORDINANCES OF THE CITY TITLED ENCLOSURES BY REVISING THE
FENCING REQUIREMENTS AROUND SWIMMING POOLS, 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 for full reading, that Ordinance No. 2019-42 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2019-42 was highlighted by Mrs. Miller, with section 4 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. LoPresti that Ordinance No. 2019-42 be passed.

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

Motion carried.
Ordinance No. 2019-42 is passed.

Board of Zoning Appeals Recommendation:

Recommendation made to Council to confirm the decision of the Board in Case No. 2019-01 to grant requested variance to Rebecca Arhar of 5164 Bridgewater Road for an area variance from the provisions of Chapter 1160.05 of the Planning and Zoning Code. The request is to build a front porch which will encroach fourteen (14) feet into the minimum required forty (40) foot front yard setback.

The findings in Case No. 2019-01 as recorded in the minutes of the meeting of the Board of Zoning Appeals held May 13, 2019 were read by Mrs. Miller.

It was moved by Mr. Price seconded by Mr. Gambatese, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2019-01.

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

Motion carried.

Planning Commission Recommendations:

Recommendation made to Council to grant a temporary Conditional Use Permit to Edward J. Hodgdon and Jessie B. Hodgdon, Trustees of the Hodgdon Trust dated October 6, 2011, to allow an Adult Group Home licensed by the State of Ohio and by the Cuyahoga County Board of Developmental Disabilities to be established at 1075 Clearview Road, with the conditions that:

1. The temporary Conditional Use Permit will expire in 60 days;
2. The documents necessary to grant a permanent Permit, which are listed in Section 1156.02 of the Lyndhurst Codified Ordinances, be submitted to the Building Department by June 20, 2019;
3. Contact information regarding the Trustee and the Chief Care Provider be submitted to the Building Department by June 3, 2019; and
4. The number of residents be limited to a maximum of three during this time.

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

Roll Call: Yeas: Price, Gambatese, Grushetsky, 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 7:58 P.M.

Approved: June 3, 2019

Attest: _____
Clerk of Council

Vice Mayor