

Lyndhurst, Ohio
September 16, 2019

The Council of the City of Lyndhurst held its Regular Meeting on Monday, September 16, 2019 at 7:33 P.M., Vice Mayor David A. Frey, presiding.

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

Others Present: P. A. Ward, Mayor;
P. T. Murphy, Director of Law;
P. A. Rhode, 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 S. C. Grushetsky,
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Marko, seconded by Mr. Schlessel, that the reading of the minutes of the Regular Meeting of Council held Tuesday, September 3, 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 unanimously.

MAYOR'S REPORT – Mayor Ward expressed his gratitude over the Home Day event stating it was one of the best ever! He thanked the committee, Councilman Price and his wife Beth, Mrs. Rhine and other members of Council who were involved with planning and executing such a wonderful event for our community.

Mayor Ward aired he received an email from a resident talking about how proud she was of Lyndhurst and wanted to share her experience. She explained one of her friends had posted on social media a call for help with a tree that had come down, and resident Maurice Amar along with almost thirty others came to help.

Mayor Ward mentioned Julie Johnson who is one of the founders of the “little village”. He commented this is a group of parents of five year olds and younger, who are wonderful driving force in our community.

Mayor Ward spoke about the storm on Friday night, stating how dispatch was receiving approximately 20 calls per minute from residents with down wires and trees. He commented that while driving through the City after the storm, he has never seen it look so dark. Mayor Ward said he met the Service Department Foreman the next morning to drive around and it was apparent Lyndhurst was badly bruised.

Mayor Ward said he received a text from his assistant on Saturday that Maurice needed to talk to him. He explained how these people had the idea to open up the Community Center. Thinking about the supplies they had, Mayor Ward made a stop and all of a sudden there was a full blown meal with about 250 people stopping by. He commented that both Mr. and Mrs. Price were in the kitchen, while Maurice was making homemade soup. He detailed the unbelievable amount of food donated from Zeppes pizza, McDonalds, Chick-fil-a, Tasty pizza and Taco Bell. As it was getting close to 8pm, Maurice asked about breakfast and within a few minutes, Julie Johnson had the manager of Dave's Supermarket

on the line who generously provided a \$200 gift card. Mayor Ward commented on the amount of people that came out Sunday for breakfast who were grateful for the opportunity to charge their devices and have a meal. He expressed how incredibly proud he was of what the members of our community decided to do.

Mayor Ward shared that he received calls from Mayor Brunello of Highland Heights, Mayor Roche of Richmond Heights, Mayor Bain of Pepper Pike and Nick Bakos, the Service Director from Bedford Heights, who is a Lyndhurst resident, all offering assistance. He added there was a crew from Pepper Pike on Saturday helping clear roadways. Today, crews from Highland Heights, Richmond Heights, and Bedford Heights were helping, in addition to the private tree crews.

Mayor Ward confirmed there are still residents without power. He is thankful for our residents who are so willing to help each other, to come and be a part of something great, for their fellow residents. Mayor Ward concluded by acknowledging the many compliments received for our workers in various departments and our community!

FINANCE COMMITTEE – Chairman Schlessel did not have anything to report.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Price had nothing to report.

ROADS AND UTILITIES COMMITTEE – Chairman Gambatese had no report.

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

SAFETY COMMITTEE – Chairman LoPresti did not have a formal report; however, he reminded everyone the next bloodmobile is scheduled on October 3rd at the Community Center. He also spoke about the Bicycle Helmet Program through the affiliation with the Injury Prevention Center at Rainbow Babies and Children's Hospital. Mr. LoPresti suggested to call Melissa at the Community Center for more information or to schedule an appointment.

LEGISLATIVE COMMITTEE – Chairman Marko reported the committee met this evening at 6:30pm. Members of the committee were present which included Councilman LoPresti, Councilman Frey and himself. Mayor Ward, Councilman Schlessel, Councilman Price and Councilman Gambatese were also present along with the Law Director. Mr. Marko stated the topic was the legislation that is on the Agenda. Mr. Marko outlined 3 of the Ordinances; one is involving Fire Department symbols that go into commercial buildings, the second is regarding solicitation calls, and the third is regarding rental registration. He said it was recommended by the committee that Council put those on second reading.

Mr. Marko commented that further discussion centered on Ordinance 2019-54 which involves the time change of the Planning Commission; the committee recommended that it be adopted. He stated Ordinance 2019-55 regarding Tattoo Parlors is being recommended to be tabled until the next meeting. Mr. Marko concluded no other discussion took place and the meeting adjourned at 7:00pm.

PLANNING COMMISSION – Councilman LoPresti had no report stating the commission has not met since the last Council meeting.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – Board President

Stefanie Rhine delivered the following report:

She stated the beginning of the school year has gone very smoothly. They are excited to welcome 2 new resource officers to the district, Mr. Lozada from Lyndhurst and Mr. DiLillo from South Euclid. Mrs. Rhine said they appreciate having both officers in the schools, adding they make a big difference in creating a sense of community with the kids.

She acknowledged September is state report card month, and while some of the scores were better, others stayed the same. Mrs. Rhine mentioned a discussion on Facebook about the report card and the state of our schools. She said as a community member and a parent, it hurts her heart because she knows what they're doing to try to help support the kids. She expressed "we're not failing and our kids are not failures".

Mrs. Rhine aired the board is hosting a meeting at their work session on September 24th where they'll be reviewing the initial data. They will also be having several other community meetings. She shared some of the initiatives they have going on, and commented they are geared to supporting the students in hopes to make the community proud.

Mrs. Rhine stated at the Greenview campus, they have created a school within a school situation. The 4th grade is operating as its own school with their own principal and following an intermediate school model; whereas the 5th and 6th grades are operating separately with their own administrative staff. She explained while they are all in the same building, the 6th grade is in a different area and operating as more of a middle school model. She remarked this is different than what they have been doing previously, and hopes by taking this initiative it will help improve things at Greenview.

Mrs. Rhine spoke next about Adrian Elementary school. She said their ratings are more difficult, you can get either an A, C or F. They are very proud that this year they received an A. She mentioned through a book partnership with Frist Book, the school has received their 50,000th donated book. She explained that beginning with the 2011-2012 school year, the Learning Resource Center teacher, Ms. Cathy Stang, has organized this program to enable every student in every grade to get a book every year; a value of almost \$500,000 worth of books has been donated to Adrian. Mrs. Rhine expressed how grateful they are to Legacy Village and Mayfield Church in Chesterland, who help cover shipping costs.

With Memorial scoring an F on the state report card, Mrs. Rhine voiced that anybody who has been in Memorial and has met Mr. Kaple sees what he has done over the past three years. They are not quite sure their grade is even an F because they found a data error and contacted the ODE, who acknowledged there was an error. The response from the Ohio Department of Education is that since there isn't an appeal process, Memorial stays at an F whether or not they deserve that grade or not.

Mrs. Rhine announced there were 50 students in our community this year who returned to Memorial from private schools because of Mr. Kaple and his staff. She talked about the Homework Club that is run by one of the 7th grade teachers and has almost 100 students participating per week. She also commented on how strong the Student Council is with 75 participants, noting there are only 350 students in the entire school. Mrs. Rhine suggested that under the leadership of Mr. Kaple, his students not only developed and designed, but were instrumental in creating a Makerspace at Memorial. She said they have also added more electives like digital arts. Mrs. Rhine shared another example of what Mr. Kaple has done to demonstrate achievement in the classroom is to debut MJH Strong. With this initiative, students are being recognized for showing leadership and good practices within the school. She explained the kids get called down to the office and are presented with dog tags, which they are so excited to receive. He also posts their picture to Instagram. Mrs. Rhine presented a set of MJH dog togs to Mayor Ward because he is a good leader and Mr. Kaple appreciates all he does for Memorial Junior High.

Mrs. Rhine reported the State of Ohio has passed a plan to provide funding for social services due to the emphasis on mental health needs and stressors within families. She said this is something their district has been doing on their own for the last several years. Under the leadership of Ms. Thompson, they have continued to bring in different wraparound services to help support the students not just academically, but emotionally and socially. She talked about the wraparound services the district offers, and explained how teachers and coaches go out into homes to work with families who are struggling. Mrs. Rhine aired the state is going to provide up to \$360 per student in poor districts and \$30 per student in rich districts; at a minimum schools will get \$30,000. She explained that a lot of people don't realize South Euclid-Lyndhurst is tagged a wealthy district. She added there is an obvious disconnect because 70% of our students receive free or reduced lunch based on average income. Mrs. Rhine indicated the district will not receive a lot of money from the state for wraparound service; however, they are committed and have allocated \$200,000 of the general budget to go to these services, not only to support the students, but their families and staff.

Mrs. Rhine talked about one of the programs called "I am Bella" which is all about being a girl and being comfortable with yourself. She gave a personal example about her own daughter wanting to be home schooled because friends she had known since kindergarten decided they didn't want to be her friend anymore. While it was a horrible experience, she commented that because of this program, her daughter is thriving. Mrs. Rhine said they are currently putting information together regarding the services offered and will get that out to anyone interested.

Mrs. Rhine mentioned that SEL Appreciation Day was held over the weekend and was a great way to highlight what our kids do. She announced Coach Mason, the basketball coach, was one of 4 high school coaches that was invited to participate in the Nike Skills Academy in Los Angeles this summer. She expressed how very proud they are to have him as part of the district, not only for what he does with the basketball team, but he also participates in the wraparound services working with families.

Mrs. Rhine reported there were 20 students from Brush High School who had their photography exhibited at the "Take a Good Look" exhibit back in August at the Parma Artspace. She aired the exhibit was curated by Kathy Connor who is one of their photography instructors.

Mrs. Rhine concluded by thanking Mayor Ward and Council for their time and continued support.

Mayor Ward commented "when you look at the grade of our district, I urge you to bear in mind this is the same district that graduated a student with almost a 5 point average, was accepted at every Ivy League College in the United States and is a student at Harvard. It is not for a lack of effort, it is not for a lack of programs, it is not for lack of support services that our schools get the grades they do. It is because of something that is sorely lacking in society and in our schools and that's parenting. There are things we need to do, we did trauma training with the schools, we involved our court, we've involved our probation, why so that our employees, when they're dealing with someone who is a victim of trauma can recognize it. When they are dealing with someone who is an inflictor of trauma, they can focus on it, and perhaps maybe they can do something about it. As a collective community, we have been working together to address some of these things. I have been active with the Superintendent, with the First Ring Superintendents for all the first ring suburbs around Cleveland and there is just a reoccurring theme that in the poorer districts where you're dealing with these issues, where you're dealing with hunger, or housing volatility where people don't know where they're going to be staying the night. We have students that are registered as homeless because the last district of registration, should they face eviction or

should they face foreclosure, is their district. They're still our student until they have another domicile that they can register legally from. Certainly, our teachers, when I go to Convocation at the beginning of the year, they spend the entire summer training in conscience discipline and so on to deal with what comes into our buildings. There's a lot of transiency amongst the districts in the first ring because of that housing volatility. We might get a student in ninth grade or tenth grade who may be reading at a third grade level. It's our responsibility, our district takes ownership of that and takes very much pride in what they're able to achieve with those students. They take a ding for it, that's part of doing the job. So, I'm always disappointed, but I'm more disappointed in the Ohio Department of Education in how they continually fail absolutely FAIL our communities and it has not been until the higher earning districts have been getting dinged for the same metrics that there has been a real push back. So in the past year, there has been more of a push back and more pressure placed on the legislature to actually do something about how districts are judged, and how student performance is judged. And until such time as they get off their duffs, and actually do something about it, we as communities are going to be chasing our tails trying to make up for their ineffectiveness, not our own".

The floor was opened for public comment.

Sandra Taylor, 1544 Curry Drive, a 50 year resident, remarked how Lyndhurst seems to have a lot of rental homes, and inquired if there could be an Ordinance where the owner could perform a walk through annually to make sure everything is working well inside and looks good outside.

Mayor Ward responded that it's on the Agenda tonight.

Howard Friedman, 5521 Harleston Drive, stated he moved to Lyndhurst at the beginning of this year and has lost power 3 times this summer, while the homes on the opposite side of the street have never lost power. He feels this is a real problem.

Mayor Ward responded they have looked at the power issue in that particular grid with CEI, noting they were in the midst of a reliability check prior to this incident. He explained the first issue was a main line that broke on Brainard Road. Mayor Ward stated the second issue was a fuse problem that was not corrected properly. He aired he understands the frustration and assured Mr. Friedman they are still working with CEI on doing a reliability check on that circuit.

Daniel Kosareo, 1378 Croyden Road, started by apologizing to Mayor Ward, Mr. Frey and Mr. Gambatese for the events from earlier today. He explained that one of his neighbors lost a tree that took out the power on his entire street. Mr. Kosareo expressed his frustration from spending the weekend cleaning up his yard, cleaning debris from the roof and helping neighbors. He said he watched both City and Illuminating Company trucks slow down, look at his property and then continue on their way. His perception was that no one could see how badly the back yards were because no one got out of their truck to look.

Mr. Kosareo explained another part of the problem is they were left out of the communication about the community center being open and meals being provided. He remarked that there has to be a better way to convey to the community. He added that he does not get on social media and the land lines were taken down with the power.

Mayor Ward responded, as he did to him earlier, you can complain to him all you want, that is no problem as that's his job, and he is perfectly willing to take it and act on it. He explained when he came in on Saturday morning, the guys were given one directive and that was clear the streets, even if that meant just clearing one side by pushing debris off to the side with a front end loader, they did and moved on. He said they had to prioritize in order to get everyone back to some sense of mobility.

Mayor Ward said regarding the wonderful things that happened at the community center, he did put out a reverse 911 call that has the capability to reach cell phones as well as land lines. He confirmed this is how many people found out. He also mentioned there was a section in the Lyndhurst Life Magazine that explained how to get registered.

Mayor Ward stated he was in dispatch on Friday and they received several calls from Croyden regarding down trees. Mayor Ward explained how the first priority is to make sure there are no live wires. If there were live wires down, personnel from fire or police were sent out immediately to make sure it's safe. He said he had to do a reverse 911 Friday night just to keep people from walking around in their yards.

Mayor Ward said he shares the frustration and assured Mr. Kosareo that he is working with First Energy as he is continuously on the phone with them. He acknowledged that while he may get a little more information, it's only information and not actions. He added they certainly received a lot of action today and for that he is thankful.

Mr. Kosareo acknowledged he probably isn't registered to get the emergency calls. He remarked that his perception, as an owner on Croyden, is they often get overlooked.

Mayor Ward responded that the problems on Croyden were mostly in the back yards, and not visible from the street. He also stated they cannot clear out trees that have wires in them because it's not safe and they are not qualified to tell whether or not those wires are still live. He commented that even the forestry crews cannot act until a supervisor tells them the wires are off.

Mr. Kosareo said he understands; however, the history with that part of the grid is that it seems to go down with ease. He indicated part of the problem is the trees and is seriously considering removing two large trees behind his house after seeing the damage caused during the storm. Mr. Kosareo remarked they were very lucky their house did not sustain any damage. He urges Council to get some type of assistance to help residents with tree removal.

Vice Mayor Frey thanked Mr. Kosareo for taking the time to address Council this evening.

Maurice Amar, 948 Dalewood Road, apologized to Mr. Kosareo for not being aware of the food at the Community Center and offered to come to his house and make him dinner.

Mr. Amar stated he has lived in Lyndhurst for about 9 months. When he first moved here he joined the Lyndhurst group on Facebook. He admitted to having bad attitude and jumped on the band wagon of negativity regarding the schools. Mr. Amar remarked that he couldn't understand why people were defending the school with a grade of F, so he decided to get involved quickly realizing he didn't care about the grade because of the amazing school and community.

Knowing he was leaving, Mr. Amar offered his services to the Mayor by donating his time to photograph the Home Day Festival. He was in attendance Friday, Saturday and Sunday from the time it opened until the time it closed. Mr. Amar said he walked with the Mayor who knew almost everyone there, from patrons to vendors and it was incredible to

watch. Mr. Amar also acknowledged Chief Rhode stating he has an incredible group of police officers in his department. He said after Home Days he was feeling a little sad about leaving, but overall really good about the community.

Mr. Amar commented he went out to help after the storm, and mentioned how he railroaded the Mayor in to opening the community center. He remarked that never in his life has he seen a Mayor and Councilman, specifically Mr. Price, be so active. He explained the Mayor was washing dishes and mopping floors, while Mr. Price was cooking. Mr. Amar recognized community center employees John and Melissa, adding that John was amazing! On Sunday, Councilman Price and his wife Beth showed up again as well as Councilman Gambatese, along with several others who brought donations and offered assistance. Mr. Amar remarked there were no less than 400 people who came by for food. He concluded that while he is sad to leave, this city is in incredibly capable hands. Mr. Amar said he would be back next year to take photos for Home Day, if Mayor Ward will have him. He loves this town and hopes he left it a little bit better than he found it!

Liz De Giovanni, 5169 Thornbury Blvd, thanked Mayor Ward for opening the Community Center. She said she told her neighbors and they enjoyed the evening of conversation. Ms. De Giovanni commented about receiving the robo calls and encouraged everyone to sign up.

She also mentioned how surprised she was by all the trees that came down because many of them appeared to be healthy, but when you look closer you could see how much rot there was.

Mr. Gambatese mentioned that he heard many compliments from residents on what an amazing job the Service Department did for the City over the weekend. He thanked Mr. Fioritto and asked him to share this with his department.

Mr. Schlessel stated Council Coffee is Saturday, October 5th from 9-11am. He commented that everyone should come out and thank their city services at the expo.

Mr. Frey mentioned the community shredding event on October 26th.

ORDINANCE NO. 2019-54
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AMENDING SECTION 1110.04 OF THE PLANNING
AND ZONING CODE OF THE CITY TITLED “MEETINGS”**

It was moved by Mr. Schlessel, seconded by Mr. Marko, that Ordinance No. 2019-54 be adopted.

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

Motion carried.
Ordinance No. 2019-54 is passed.

**ORDINANCE NO. 2019-55
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE ENACTING CHAPTER 779 OF THE CODIFIED
ORDINANCES OF THE CITY OF LYNDHURST, OHIO, TITLED
“TATTOO AND BODY PIERCING BUSINESSES,” AND DECLARING AN
EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Marko, that Ordinance No. 2019-55 be tabled.

Roll Call: Yeas: Schlessel, Price, Marko, LoPresti, Frey.
Nays: Gambatese.

Motion carried.
Ordinance No. 2019-55 is tabled.

**ORDINANCE NO. 2019-61
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE ENACTING CHAPTER 757 OF THE BUSINESS
REGULATION CODE OF THE CITY TITLED “REGISTRATION AND
INSPECTION OF RENTAL PROPERTY,” AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2019-61 be placed on second reading.

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

Motion carried.
Ordinance No. 2019-61 is placed on
second reading.

**ORDINANCE NO. 2019-62
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE ENACTING CHAPTER 1521 OF THE CODIFIED
ORDINANCES OF THE CITY TITLED “BUILDING MARKING SYSTEM
PROGRAM”, AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Marko, that Ordinance No. 2019-62 be placed on second reading.

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

Motion carried.
Ordinance No. 2019-62 is placed on
second reading.

**ORDINANCE NO. 2019-63
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING SECTION 636.15 OF THE CODIFIED
ORDINANCES OF THE CITY TITLED TELECOMMUNICATION HARASSMENT
BY INCLUDING THE RESTRICTIONS AND THE PROHIBITIONS IMPOSED BY
FEDERAL AND STATE LAW, AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Ordinance No. 2019-63 be placed on second reading.

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

Motion carried.
Ordinance No. 2019-63 is placed on
second reading.

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

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

Meeting adjourned at 8:28 P.M.

Approved: October 7, 2019

Attest: _____
Clerk of Council

Vice Mayor