

Lyndhurst, Ohio  
October 21, 2019

The Council of the City of Lyndhurst held its Regular Meeting on Monday, October 21, 2019 at 7:32 P.M., Vice Mayor David A. Frey, presiding.

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

Absent: M. J. Carroll, Chief of Fire;  
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that the reading of the minutes of the Regular Meeting of Council held Monday, October 7, 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 mentioned the annual Children's Halloween Party was held last Saturday evening. He said it was a great success and gave a shout out to all of the staff for their contributions making it a wonderful event!

Mayor Ward stated the next shredding event is this coming Saturday, October 26<sup>th</sup> from 11:30-3:30pm in the City Hall parking lot.

**FINANCE COMMITTEE** – Chairman Schlessel had no report.

**PUBLIC LANDS AND BUILDINGS COMMITTEE** – Chairman Price reported the committee met earlier this evening and those minutes are forthcoming.

**ROADS AND UTILITIES COMMITTEE** – Chairman Gambatese had no report.

**SERVICE AND SEWERS COMMITTEE** – Chairman Grushetsky had no report.

**SAFETY COMMITTEE** – Chairman LoPresti did not have anything to report.

**LEGISLATIVE COMMITTEE** – Chairman Marko had no report.

**PLANNING COMMISSION** – Councilman LoPresti stated the commission has not met since summer; therefore, he has nothing to report. He did mention the Architectural Board of Review is meeting Tuesday, October 29<sup>th</sup>.

**SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION** – Board Member Erin Lee-Harris began her report by asking residents to take the community survey that was sent out. She stated the survey can be accessed by following the link on the school website at [www.sel.k12.oh.us](http://www.sel.k12.oh.us). Ms. Harris mentioned the Board will have the results from the survey at their next work session on November 6<sup>th</sup>.

Ms. Harris stated Superintendent Reid wanted to remind everyone she participates in a weekly conference call regarding legislation to make progress on the school report card. She thanked Mayor Ward for his continued support and being very vocal on this issue.

Lastly, Ms. Harris announced Brush senior John Hugley accepted a scholarship with the University of Pittsburgh to play basketball. It was noted, Mr. Hugley received a total of 34 scholarship offers.

The floor was opened for public comment.

Liz De Giovanni, 5169 Thornbury Blvd, mentioned the meeting at Brush regarding the candidates running for office.

Mayor Ward aired the League of Women Voters is having their Candidate Forum on Wednesday at Brush High School in the cafeteria beginning at 7pm.

Ms. De Giovanni inquired whether Lyndhurst would receive any funds from the Opioid lawsuit that was settled earlier today.

Mayor Ward stated the money will get disseminated by the Secretary of State to the County and Lyndhurst could see some services as a result.

Mary Gluss, 1383 Irene Road, spoke about the proposed legislation to allow a Tattoo Parlor in Lyndhurst. She explained she works in health care and one of the questions asked on a health physical is if you have a tattoo because it puts them at risk. Ms. Gluss stated that if she was a business owner on Mayfield Road, she would be concerned about having a tattoo parlor next door, with needling and blood exchanges, lowering her chances of staying and decreasing the quality of commerce in our city. She understands there are health care organizations that govern the shops; however, she remarked the more that open up, the harder it will be to enforce the laws. Ms. Gluss asked Council to think about not passing the legislation.

Kathy McNeeley, 1255 Irene Road, expressed her concerns regarding the Tattoo Parlor. She stated she has lived in Lyndhurst for 70 years and has a feeling about the community. Ms. McNeeley remarked that while body piercing and tattooing have become mainstream, so has check cashing and all of those other things that she associates with a different kind of community. She hopes Council will consider these things before passing legislation.

## **SECOND READING**

**ORDINANCE NO. 2019-77**

**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHAPTER 1176 OF THE ZONING CODE OF THE CITY TITLED “SUPPLEMENTARY REGULATIONS” BY AMENDING SECTION 1176.07 REGARDING PROHIBITED USES**

It was moved by Mr. Marko, seconded by Mr. Price, that Ordinance No. 2019-77 be placed on second reading.

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

Motion carried.  
Ordinance No. 2019-77 is placed on second reading.

**ORDINANCE NO. 2019-79  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING GCS CHANGE ORDER NO. PCCO#3 WITH GREENSPACE CONSTRUCTION SERVICES (GCS) FOR THE FIRE DEPARTMENT EXPANSION AND RENOVATION PROJECT, AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2019-79 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2019-79 was highlighted by Mrs. Miller, with section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti that Ordinance No. 2019-79 be passed.

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

Motion carried.  
Ordinance No. 2019-79 is passed.

**ORDINANCE NO. 2019-80  
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, 2019 REPEALING ORDINANCE NO. 2019-72 AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2019-80 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2019-80 was highlighted by Mrs. Miller, with section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti that Ordinance No. 2019-80 be passed.

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

Motion carried.  
Ordinance No. 2019-80 is passed.

**Confirm decision of the Board of Zoning Appeals:**

Recommendation made to Council to confirm the decision of the Board in Case No. 2019-07 to grant requested variance to Paul Ozeruga of 1879 Edenhall Drive, from the provisions of Chapter 1160.05 of the Planning and Zoning Code, to erect a deck which will encroach twenty-six (26) feet into the required forty (40) foot setback and three (3) feet into the required six (6) foot side yard setback.

The findings in Case No. 2019-07 as recorded in the minutes of the meeting of the Board of Zoning Appeals held October 14, 2019 were read by Mrs. Miller.

It was moved by Mr. Marko seconded by Mr. Gambatese, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2019-07 and grant the requested variance.

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

Motion carried.

Recommendation made to Council to confirm the decision of the Board in Case No. 2019-08 to grant requested variance to Ms. Sue Ellen Hill of 5306 Ridgebury Boulevard from the provisions of Chapter 1160.04 (a)(1)(a) of the Planning and Zoning Code to erect a second garage on her property, in lieu of the one garage permitted, whether attached or detached, on any one lot.

The findings in Case No. 2019-08 as recorded in the minutes of the meeting of the Board of Zoning Appeals held October 14, 2019 were read by Mrs. Miller.

It was moved by Mr. Marko seconded by Mr. Gambatese, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2019-08 and grant the requested variance.

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

Motion carried.

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

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

Meeting adjourned at 7:50 P.M.

Approved: November 4, 2019

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

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Vice Mayor