

Lyndhurst, Ohio  
November 4, 2019

The Council of the City of Lyndhurst held its Regular Meeting on Monday, November 4, 2019 at 7:33 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;  
M. J. Carroll, Chief of Fire;  
T. Fioritto, Director of Service;  
J. Maichle, Building Commissioner;  
K. L. Miller, Assistant Clerk of Council.

Absent: M. A. Kovalchik, Director of Finance.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Monday, October 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 unanimously.

**MAYOR'S REPORT** – Mayor Ward aired tomorrow is Election Day and asked everyone to get out and vote. He spoke about the Community Cost Share Agreement with NEORSB which funds the cleaning and inspection of the sewers. The Community Cost Share is one of the things we fought for and won in the law suit against the Sewer District on Storm Water Management. He also talked about the change orders on the Agenda for the Fire Station Project; one being a credit and one is for the breezeway connector from the Fire Station to the tent in order to keep the personnel dry during the winter months. Mayor Ward remarked we are continuing to value engineer.

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

**PUBLIC LANDS AND BUILDINGS COMMITTEE** – Chairman Price had no report; however, he mentioned the minutes from the last meeting have been submitted.

**ROADS AND UTILITIES COMMITTEE** – Chairman Gambatese had no report. He did mention Shawnee, Cherokee and Portage Roads are getting the final coating of asphalt.

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

**SAFETY COMMITTEE** – Chairman LoPresti did not have a report.

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

**PLANNING COMMISSION** – Councilman LoPresti did not have a report; however, he did announce there will be a meeting on November 20<sup>th</sup> beginning at 7pm.

**SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION** – Board Member Kathryn Falkenberg presented the following report:

The Brush High School Drama Department presents the play You Can't Take it With You this Friday, November 8<sup>th</sup> and Saturday, November 9<sup>th</sup> at 7:30pm in the Performing Arts Center. There is also a matinee on Saturday at 2:30pm. Tickets are \$10 for adults, \$6 for students, children and senior citizens.

Ms. Falkenberg stated that during the first 2 weeks in October, Memorial Junior High School collected warm socks for individuals at local homeless shelters. This event is called Socktober, and the students collected 658 pairs of socks which was 200 more than their goal. Each Homeroom class competed against each other and the winning classroom received a breakfast.

Ms. Falkenberg commented that for the 3<sup>rd</sup> year in a row, Memorial Student Council sponsored and after school pumpkin carving party. Working together, the students carved designs reflecting school pride, such as spelling out the word MEMORIAL. The activity provided an opportunity for some fall themed fun, but also marked the first time many students carved a pumpkin making this experience even more memorable. Memorial Student Council members have been very active with the exceptional leadership of Principal Mr. Kaple.

Ms. Falkenberg explained how Sunview students celebrated Fire Prevention Week, during the week of October 6<sup>th</sup> – 12<sup>th</sup> with a variety of special activities. She thanked the Lyndhurst Fire Department, especially Fireman Zelinka who discussed his life in this very important profession.

Finally, Ms. Falkenberg announced several SEL Board members will be attending the Ohio School Board Convention in Columbus, November 10<sup>th</sup> through the 12<sup>th</sup>. They will have the opportunity to share ideas with other school board members from other districts as well as learning from experts in a variety of areas in the educational realm.

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

**THIRD 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. Schlessel, seconded by Mr. Marko, that Ordinance No. 2019-77 be tabled.

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

Motion carried.  
Ordinance No. 2019-77 is tabled.

**ORDINANCE NO. 2019-81  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING A COMMUNITY COST-SHARE  
AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL  
SEWER DISTRICT AND THE CITY OF LYNDHURST FOR THE 2019 SEWER  
INSPECTION AND CLEANING PROGRAM**

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. 2019-81 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. 2019-81 was highlighted by Mrs. Miller, with section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti that Ordinance No. 2019-81 be passed.

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

Motion carried.  
Ordinance No. 2019-81 is passed.

**RESOLUTION NO. 2019-82  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO  
AN AGREEMENT WITH CLEMANS, NELSON & ASSOCIATES, INC.,  
PROVIDING FOR LABOR AND EMPLOYMENT CONSULTING  
SERVICES**

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 Resolution No. 2019-82 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.

Resolution No. 2019-82 was highlighted by Mrs. Miller, with section 5 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese that Resolution No. 2019-82 be passed.

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

Motion carried.  
Resolution No. 2019-82 is adopted.

**ORDINANCE NO. 2019-83**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING GCS CHANGE ORDER NO. PCCO#4 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. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2019-83 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. 2019-83 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. 2019-83 be passed.

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

Motion carried.  
Ordinance No. 2019-83 is passed.

**ORDINANCE NO. 2019-84**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING GCS CHANGE ORDER NO. PCCO#5 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. 2019-84 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. 2019-84 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. 2019-84 be passed.

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

Motion carried.  
Ordinance No. 2019-84 is passed.

**ORDINANCE NO. 2019-85  
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING GCS CHANGE ORDER NO. PCCO#6 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. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2019-85 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. 2019-85 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. 2019-85 be passed.

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

Motion carried.  
Ordinance No. 2019-85 is passed.

**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. Marko seconded by Mr. Gambatese, that Ordinance No. 2019-62 be removed from table.

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

Motion carried.

Ordinance No. 2019-62 is removed from table.

It was moved by Mr. Marko, seconded by Mr. Gambatese that Ordinance No. 2019-62 be amended.

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

Motion carried.

Ordinance No. 2019-62 is amended.

It was moved by Mr. Marko seconded by Mr. Gambatese, that Ordinance No. 2019-62 be passed.

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

Motion carried.

Ordinance No. 2019-62 is passed.

It was moved by Mr. Schlessel, 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 18, 2019

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

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Vice Mayor