

Lyndhurst, Ohio
May 18, 2020

The Council of the City of Lyndhurst held its Regular Meeting on Monday, May 18, 2020 at 7:35 P.M., Vice Mayor Joseph A. Marko, presiding.

Members Present: Council Representatives L. A. Schlessel, J. Price, J. A. Gambatese, S. C. Grushetsky, D. A. Frey, C. A. LoPresti.

Others Present: P. A. Ward, Mayor;
J. P. Luskin, Director of Law;
R. J. Schmidlin, Assistant Director of Law;
K. L. Miller, Assistant Clerk of Council.

Absent: P. A. Rhode, Chief of Police;
M. J. Carroll, Chief of Fire;
T. Fioritto, Director of Service;
J. Maichle, Building Commissioner;
M. A. Kovalchik, Director of Finance.

*NOTE: Due to social distancing regulations, the Vice Mayor excused all Department Heads from attending the meeting. Council members participated virtually via the Zoom meeting application. The meeting was streamed live on the City of Lyndhurst, Ohio Facebook page for public viewing.

It was moved by Mr. Schlessel, seconded by Mr. Frey, that the reading of the minutes of the Regular Meeting of Council held Monday, May 4, 2020, 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 reminded residents of the semi-annual shredding event this Saturday, May 23rd at City Hall from 11:30am-3:30pm. He mentioned in connection with the shredding, a food drive will also be held for non-perishable items which will be donated to the local food bank.

Mayor Ward stated the weekend rubbish drop off service has continued with a few changes being made to keep both the employees and residents safe.

Mayor Ward announced Brainard Road will be under construction from Wilson Mills to Falkirk starting Tuesday May 26th. Both the contractor and project engineer will be the same as on the Cedar Road Resurfacing project; which finished 10 months ahead of schedule.

The floor was opened for public comment with none being heard. Vice Mayor Marko stated, as outlined in the Pandemic Continuity Plan, any public comment relative to items contained in the published meeting Agenda was to be received by the Assistant Clerk of Council via email or phone call prior to 6:00pm.

SECOND READING
ORDINANCE NO. 2020-43
INTRODUCED BY: ADMIN

**AN ORDINANCE AMENDING SECTION 1160.04 OF THE
CODIFIED ORDINANCES OF THE CITY TITLED “ACCESSORY USES,
BUILDINGS, AND STRUCTURES,” AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Ordinance No. 2020-43 be placed on second reading.

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

Motion carried.
Ordinance No. 2020-43 is placed on second reading.

ORDINANCE NO. 2020-48
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, 2020
REPEALING ORDINANCE NO. 2020-18 AND DECLARING AN
EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2020-48 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2020-48 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. 2020-48 be passed.

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

Motion carried.
Ordinance No. 2020-48 is passed.

**ORDINANCE NO. 2020-49
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 25 WITH
GREENSPACE CONSTRUCTION SERVICES (GCS) FOR THE FIRE
DEPARTMENT EXPANSION AND RENOVATION PROJECT, 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. 2020-49 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2020-49 was highlighted by Mrs. Miller, with section 4 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Gambatese, that Ordinance No. 2020-49 be passed.

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

Motion carried.
Ordinance No. 2020-49 is passed.

**ORDINANCE NO. 2020-50 (AMENDED)
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 26 WITH
GREENSPACE CONSTRUCTION SERVICES (GCS) FOR THE FIRE
DEPARTMENT EXPANSION AND RENOVATION PROJECT, 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. 2020-50 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Ordinance No. 2020-50 be amended to add NOT TO EXCEED in Section 1.

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

Motion carried.
Ordinance No. 2020-50 is amended.

Ordinance No. 2020-50 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. 2020-50 be passed.

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

Motion carried.
Ordinance No. 2020-50 is passed.

**ORDINANCE NO. 2020-51, 2020-52, 2020-53, 2020-54, 2020-56, 2020-57, 2020-58, 2020-59
INTRODUCED BY: ADMINISTRATION**

**ARE ORDINANCES AUTHORIZING CHANGE ORDERS NO. 27, 28, 29,
30, 32, 33, 34 & 35 WITH GREENSPACE CONSTRUCTION SERVICES (GCS)
FOR THE FIRE DEPARTMENT EXPANSION AND RENOVATION PROJECT,
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. 2020-51, 2020-52, 2020-53, 2020-54, 2020-56, 2020-57, 2020-58 and 2020-59 be placed on third reading for final passage and that they be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2020-51, 2020-52, 2020-53, 2020-54, 2020-56, 2020-57, 2020-58 and 2020-59 were 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. 2020-51, 2020-52, 2020-53, 2020-54, 2020-56, 2020-57, 2020-58 and 2020-59 be passed.

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

Motion carried.
Ordinance No. 2020-51, 2020-52, 2020-53, 2020-54, 2020-56, 2020-57, 2020-58 and 2020-59 are passed.

FIRST READING
ORDINANCE NO. 2020-55
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 31 WITH
GREENSPACE CONSTRUCTION SERVICES (GCS) FOR THE FIRE
DEPARTMENT EXPANSION AND RENOVATION PROJECT, AND
DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Ordinance No. 2020-55 be placed on first reading.

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

Motion carried.
Ordinance No. 2020-55 is placed on first reading.

ORDINANCE NO. 2020-60
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE PROVIDING FOR THE RECEIPT OF FEDERAL FUNDS
DISTRIBUTED AS PART OF THE CORONAVIRUS AID, RELIEF AND ECONOMIC
SECURITY (CARES) ACT, ESTABLISHING A SPECIFIC FUND NAMED THE
“LYNDHURST CORONAVIRUS RELIEF FUND” ACCOUNTING FOR THE
RECEIPT AND USE OF SAID FUNDS CONSISTENT WITH THE REQUIREMENTS
SET FORTH BY THE LEGISLATURE AND DECLARING AN EMERGENCY**

It was moved by Mr. Schlessel, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2020-60 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2020-60 was highlighted by Mrs. Miller, with section 6 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Ordinance No. 2020-60 be passed.

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

Motion carried.
Ordinance No. 2020-60 is passed.

**RESOLUTION NO. 2020-61
INTRODUCED BY: ADMINISTRATION**

**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 LYNDHURST FOR 2020 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 Resolution No. 2020-61 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2020-61 was highlighted by Mrs. Miller, with section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Resolution No. 2020-61 be adopted.

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

Motion carried.
Resolution No. 2020-61 is adopted.

Confirm decision of the Board of Zoning Appeals:

Recommendation made to Council to confirm the decision of the Board in Case No. 2020-01 to grant requested variance to Dorothy Reid of 1936 Camberly Drive, from the provisions of Chapter 1329.011 and 1329.03 of the Lyndhurst Building Code, to allow a solid fence only on the side of the property which abuts the public walkway.

The findings in Case No. 2020-01 as recorded in the minutes of the meeting of the Board of Zoning Appeals held May 11, 2020 were read by Mrs. Miller.

It was moved by Mr. Schlessel seconded by Mr. Price, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2020-01 and grant the requested variance.

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

Motion carried.

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 7:58 P.M.

Approved: June 1, 2020

Attest: _____
Clerk of Council

Vice Mayor