

Lyndhurst, Ohio
September 21, 2020

The Council of the City of Lyndhurst held its Regular Meeting on Monday, September 21, 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;
M. A. Kovalchik, Director of Finance;
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.

*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. Grushetsky, seconded by Mr. Price, that the reading of the minutes of the Regular Meeting of Council held Tuesday, September 8, 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, with Mr. Marko abstaining.

It was moved by Mr. Grushetsky, seconded by Mr. Gambatese, that the reading of the minutes of the Special Meeting of Council held Tuesday, September 8, 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, with Mr. Marko abstaining.

MAYOR'S REPORT – Mayor Ward aired that while the annual Home Day weekend celebration was cancelled, the weather cooperated and a concert was held in the park on Saturday, September 12th. Complimentary face masks and ice cream were offered to those in attendance who were thankful for the opportunity to be outside at a socially distanced event.

Mayor Ward stated that a decision has not yet been made regarding Halloween and the tradition of trick-or-treat. He is hopeful to have ideas for consideration by City Council in the coming weeks. Mayor Ward noted that many neighboring communities have already decided to hold more organized and controlled events during the day on Halloween. He said Council generally makes their legislative determination at the meeting before Halloween; however, they will try to have some definitive action for consideration at the next Council meeting.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – School Board

President Cassandra Jones delivered the following report:

Mrs. Jones announced school started September 8th; while students are distance learning, the teachers are back in the buildings, socially distanced in their classrooms.

Mrs. Jones stated the average attendance for all of the schools has been between 92-96% which is awesome considering the circumstances. There were some technical issues with connectivity which kept them from achieving 100%. She remarked how families are making it work as best as possible.

Mrs. Jones commented that the district realizes there are components families are still in need of including the need for meals. Some of the kids rely on getting meals at school. Another issue the families are facing is lack of internet access. She mentioned how the government provided funds to assist with this need including hot spots and chrome books, through the CARES Act. Mrs. Jones aired an additional needed component is hands on assistance for remote learning. She commented how the IT Department has been extremely helpful walking families through the process of set up and getting connected as well as troubleshooting.

Mrs. Jones acknowledged how there was much more time to prepare for the start of the school year versus what they experienced in the spring. She complimented the SEL School staff for stepping out of their comfort zone and embracing roles they were not used to. In addition, the students have been helping each other as some of them do not have anyone at home to ask for assistance because parents are at work.

Mrs. Jones explained how the Greenview Science teachers did a broadcast from the pond while discussing ecosystems. She commented how it's exciting to see the teachers come up with new ways to make distance learning a success and engage the students.

Mrs. Jones spoke about the neighboring districts who are starting to allow students back in the building. She said Superintendent Reid is working with district leaders and following their recommendations. They are evaluating the situation and she will provide more information on the return to school plan once a decision has been made.

Mr. Schlessel thanked Mrs. Jones for the updates. He mentioned that many families think the district is doing a great job. He indicated being most concerned about projections of escalation this fall and winter. He suggested the board consider putting together a process and letting families know in advance of what that will be.

Mrs. Jones expressed her appreciation for the input. She responded how they have been discussing whether to commit to the nine weeks they already asked parents to commit to for distance learning. She express concern as this will be flu season and challenging to determine if a student has the flu or COVID-19. Another concern is how they will notify families when someone does get sick because of HIPPA Laws and privacy rights. Mrs. Jones said with the guidelines changing, Dr. Reid and her office are reviewing pages of hypothetical situations; one implementation might work better for another district because of the population of their students. She expressed the biggest concern is opening the doors to the schools and then to having to turn around and close, which will cause confusion and possibly put kids further behind than they were during online virtual learning. Mrs. Jones stated the overall goal is to be consistent, provide families stability and to be safe.

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.

**ORDINANCE NO. 2020-89
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AGREEMENTS AND CONTRACTS WITH VARIOUS INSURANCE CARRIERS RECOMMENDED BY JACKSON, DIEKEN & ASSOCIATES, INC., TO PROVIDE THE NEEDED INSURANCE COVERAGE REQUIRED BY THE CITY OF LYNDBURST AND THE LYNDBURST MUNICIPAL COURT AND DECLARING AN EMERGENCY

It was moved by Mr. Grushetsky, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2020-89 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. 2020-89 was highlighted by Mrs. Miller, with section 3 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. Gambatese that Ordinance No. 2020-89 be passed.

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

Motion carried.
Ordinance No. 2020-89 is passed.

**RESOLUTION NO. 2020-90
INTRODUCED BY: ADMINISTRATION**

A RESOLUTION RECOGNIZING THE EXTRAORDINARY AND NECESSARY EXPENDITURE OF FUNDS NECESSITATED BY THE PUBLIC HEALTH EMERGENCY DECLARED WITH RESPECT TO THE COVID 19 PANDEMIC 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 Resolution No. 2020-90 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. 2020-90 was highlighted by Mrs. Miller, with section 3 being read in its entirety.

It was moved by Mr. Gambatese, seconded by Mr. LoPresti, that Resolution No. 2020-90 be adopted

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

Motion carried.
Resolution No. 2020-90 is adopted.

**RESOLUTION NO. 2020-91
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION RECOGNIZING THE EXTRAORDINARY AND
NECESSARY EXPENDITURE OF FUNDS NECESSITATED BY THE PUBLIC
HEALTH EMERGENCY DECLARED WITH RESPECT TO THE COVID 19
PANDEMIC 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 Resolution No. 2020-91 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. 2020-91 was highlighted by Mrs. Miller, with section 3 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Resolution No. 2020-91 be adopted

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

Motion carried.
Resolution No. 2020-91 is adopted.

**ORDINANCE NO. 2020-92
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES
AND OTHER EXPENDITURES OF THE CITY OF LYNDBURST FOR THE PERIOD
ENDING DECEMBER 31, 2020 REPEALING ORDINANCE NO. 2020-79 AND
DECLARING AN EMERGENCY**

It was moved by Mr. Grushetsky, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2020-92 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. 2020-92 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. 2020-92 be passed.

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

Motion carried.
Ordinance No. 2020-92 is passed.

Confirm decision of the Board of Zoning Appeals:

Recommendation made to Council to confirm the decision of the Board in Case No. 2020-04 to grant requested variance to Syed Kazmi of 5590 Ridgebury Boulevard, for a variance from the provisions of Chapter 1329.03 (Side Yard Fences) of the Lyndhurst Building Code, to erect a six (6) foot high solid fence on his property.

The findings in Case No. 2020-04 as recorded in the minutes of the meeting of the Board of Zoning Appeals held August 10, 2020 were read by Mrs. Miller.

It was moved by Mr. Grushetsky, seconded by Mr. Gambatese, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2020-04 and grant the requested variance.

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

Motion carried.

Recommendation made to Council to confirm the decision of the Board in Case No. 2020-06 to grant requested variance to David Hersman, of 4852 South Sedgewick Road for an area variance from the provisions of Chapter 1160.04 (6) A (Accessory Uses, Buildings and Structures) of the Planning and Zoning Code, to erect a shed not to exceed one hundred ninety-two (192) square feet in lieu of the one hundred twenty (120) square feet allowed.

The findings in Case No. 2020-06 as recorded in the minutes of the meeting of the Board of Zoning Appeals held September 14, 2020 were read by Mrs. Miller.

It was moved by Mr. Grushetsky, seconded by Mr. Price, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2020-06 and grant the requested variance.

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

Motion carried.

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

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

Meeting adjourned at 8:06 P.M.

Approved: October 5, 2020

Attest: _____
Clerk of Council

Vice Mayor