

Lyndhurst, Ohio
September 18, 2023

The Council of The City of Lyndhurst held its Regular Meeting on Monday, September 18, 2023 at 8:02 P.M., Vice Mayor Stephen C. Grushetsky, presiding.

Members Present: Council Representatives J. A. Marko, J. Price, J. A. Gambatese, L. A. Schlessel, D. A. Frey.

Others Present: P. A. Ward, Mayor;
J. P. Luskin, Director of Law;
R. J. Schmidlin, Assistant Director of Law;
J. Maichle, Building Commissioner;
T. Fioritto, Director of Service;
K. L. Miller, Assistant Clerk of Council.

Absent: Council Representative C. A. LoPresti;
P. A. Rhode, Chief of Police;
M. J. Carroll, Chief of Fire;
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Price, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Tuesday, September 5, 2023, 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 spoke about Home Day weekend. He thanked law enforcement, auxiliaries, and support from the Sheriff's department. Mayor Ward also thanked the Home Day Committee members for all of their help with the success of the event, including Jeff & Beth Price for the booths, and Steve Grushetsky for the parade.

FINANCE COMMITTEE – Chairperson Grushetsky had no report.

PUBLIC LANDS & BUILDINGS COMMITTEE – Mr. Frey had no report.

ROADS & UTILITIES COMMITTEE – Chairperson Price had no report.

SERVICE & SEWERS COMMITTEE – Chairperson Price had no report.

SAFETY COMMITTEE – Chairperson Gambatese had no report at this time.

LEGISLATIVE COMMITTEE – Chairperson Schlessel had no report.

PLANNING COMMISSION – Council member Schlessel did not have a report.

SOUTH EUCLID LYNDHURST BOARD OF EDUCATION – It was not the first meeting of the month; therefore a member of the School Board was not present to deliver a report.

There were no requests for additions to the Agenda.

The floor was opened for public comment, with the following being heard:

Neal Hedervary, 1368 Clearview Road, submitted the following in writing prior to the Council meeting:

Please pass legislation allowing residents to sign up for opting out of solicitations on their private property. Require all professional marketers to obtain a permit to solicit while providing them with a list of residents that have signed up to opt-out of receiving solicitations.

**ORDINANCE NO. 2023-72
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE DETERMINING TO RESCHEDULE THE SECOND REGULAR MEETING OF COUNCIL IN OCTOBER 2023 FROM MONDAY, OCTOBER 16TH TO MONDAY, OCTOBER 23RD 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, that Ordinance No. 2023-72 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-72 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Ordinance No. 2023-72 be passed.

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

Motion carried.
Ordinance No. 2023-72 is passed.

**ORDINANCE NO. 2023-73
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, 2023
REPEALING ORDINANCE NO. 2023-60 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, that Ordinance No. 2023-73 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-73 was highlighted by Ms. Miller, with section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Frey, that Ordinance No. 2023-73 be passed.

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

Motion carried.
Ordinance No. 2023-73 is passed.

**ORDINANCE NO. 2023-74
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH
JADCO CONSTRUCTION SERVICES, INC. FOR THE ACACIA LAKE
DAM OUTLET REHABILITATION, 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, that Ordinance No. 2023-74 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-74 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Frey, that Ordinance No. 2023-74 be passed.

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

Motion carried.
Ordinance No. 2023-74 is passed.

ORDINANCE NO. 2023-75
INTRODUCED BY: ADMINISTRATION

**AN ORDINANCE AUTHORIZING A TWO-YEAR CONTRACT WITH
CUYAHOGA COUNTY BOARD OF HEALTH FOR PUBLIC HEALTH
SERVICES TO BE RENDERED DURING THE YEARS 2024 AND 2025**

It was moved by Mr. Price, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2023-75 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-75 was highlighted by Ms. Miller, with section 5 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Ordinance No. 2023-75 be passed.

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

Motion carried.
Ordinance No. 2023-75 is passed.

RESOLUTION NO. 2023-76
INTRODUCED BY: ADMINISTRATION

**A RESOLUTION PROVIDING FOR HALLOWEEN OBSERVANCE ON
TUESDAY, OCTOBER 31, 2023 BETWEEN THE HOURS OF 6:00 P.M. AND 8:00
P.M.**

It was moved by Mr. Price, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2023-76 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2023-76 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Resolution No. 2023-76 be adopted.

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

Motion carried.
Resolution No. 2023-76 is adopted.

**ORDINANCE NO. 2023-77
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AUTHORIZING A COMMUNITY COST-SHARE AGREEMENT BY AND BETWEEN THE NORTHEAST OHIO REGIONAL SEWER DISTRICT AND THE CITY OF LYNDBURST FOR THE 2023 CATCH BASIN CLEANING AND INSPECTION PROJECT

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2023-77 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-77 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Ordinance No. 2023-77 be passed.

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

Motion carried.
Ordinance No. 2023-77 is passed.

**ORDINANCE NO. 2023-78
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE DETERMINING THE PORTIONS OF THE SANITARY SEWER ASSESSMENT TO BE ALLOCATED TO EACH SEWER FUND FOR THE TAX YEAR 2023, IN ACCORDANCE WITH SECTION 925.02(b) OF THE CODIFIED ORDINANCES

It was moved by Mr. Marko, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2023-78 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-78 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Price, that Ordinance No. 2023-78 be passed.

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

Motion carried.
Ordinance No. 2023-78 is passed.

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

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

The meeting adjourned at 8:14 P.M.

Approved: October 2, 2023

Attest: _____
Clerk of Council

Vice Mayor