



AGENDA

COUNCIL MEETING: **REGULAR MEETING of the Council of The City of Lyndhurst, Tuesday, September 5, 2023 at 7:30 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, C. A. LoPresti.**

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

BOARD OF CONTROL:

PLEDGE OF ALLEGIANCE

Minutes: Approve minutes of the Regular Meeting of the Board of Control held Monday, August 7, 2023.

Assessments: Review and approve assessments for grass cutting and criminal nuisance.

Monthly Statement by the Finance Director:

Review and approve monthly summary statement of revenues and expenditures for the month of July 2023.

Approve Purchase Requisitions:

NEORONE & SONS – Additional Catch Basin repair at 1179 Roland (BOC approved 6/5/23) - **\$850.00.**

SIGNAL SERVICE – Install 4-Approach Sound Base Pre-emption System for the Police Department - **\$18,103.00.**

HIGHWAY GARAGE – Collision damage repairs to 2016 Sierra 2500 Vehicle, in an amount not to exceed - **\$15,013.03.**

CHAGRIN VALLEY ENGINEERING – Edgefield Road SSO Study, as approved in the 2023 Capital Budget, in an amount not to exceed - **\$30,825.00.**

[DATA SERV](#) – WLMS Renewal Contract, year 2 of 5
(BOC approved 1st year 11-15-21) – **\$11,883.24.**

[CITY OF LYNDHURST](#) – Proportionate Share of the
Lyndhurst Municipal Court Operations Deficit as of 6/30/23 -
\$14,584.03.

[COURTVIEW JUSTICE SYSTEMS, INC.](#) – Annual
Renewal of Software Support and Maintenance for the Court’s
Case Management System, in an amount not to exceed -
\$12,307.00.

COUNCIL:

Minutes: Approve Minutes of the Regular Meeting of Council held
Monday, August 7, 2023.

Committee Reports:

MAYOR’S REPORT – MAYOR WARD

FINANCE COMMITTEE – GRUSHETSKY

PUBLIC LANDS & BUILDINGS COMMITTEE – FREY

ROADS & UTILITIES COMMITTEE – PRICE

SERVICE & SEWERS COMMITTEE – PRICE

SAFETY COMMITTEE – GAMBATESE

LEGISLATIVE COMMITTEE – SCHLESSEL

PLANNING COMMISSION – SCHLESSEL

**SOUTH EUCLID LYNDHURST BOARD OF
EDUCATION (First meeting of the month)**

**Requests for additions to
the Agenda:**

Public Comment:

Any public comment relative to items contained in the
published meeting Agenda may be received via email at
councilclerk@lyndhurstohio.gov or phone call to
(440) 449-3747 prior to 6:00pm on Monday.

*Residents are welcome to attend the meeting in-person.

SECOND READING

ORDINANCE NO. 2023-53(AMENDED)

INTRODUCED BY: ADMIN

**AN ORDINANCE AMENDING CHAPTER 432 OF THE
CODIFIED ORDINANCES OF THE CITY ENTITLED
“OPERATION GENERALLY” BY REPEALING
EXISTING SECTION 432.43, AND ENACTING NEW
SECTION 432.43 PROHIBITING TEXTING WHILE
DRIVING, AND DECLARING AN EMERGENCY**

**ORDINANCE NO. 2023-63
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING SECTION 1351.13
OF THE CODIFIED ORDINANCES OF THE
CITY TITLED “FEES FOR INSPECTION” AND
DECLARING AN EMERGENCY**

**ORDINANCE NO. 2023-64
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING SECTION 1383.02
OF THE CODIFIED ORDINANCES OF THE
CITY TITLED “INSPECTIONS” AND
DECLARING AN EMERGENCY**

**ORDINANCE NO. 2023-65
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING SECTION 757.04
OF THE BUSINESS REGULATION CODE OF
THE CITY TITLED “INSPECTION” AND
DECLARING AN EMERGENCY**

**ORDINANCE NO. 2023-66
INTRODUCED BY: ADMIN**

**AN ORDINANCE AUTHORIZING CHANGE
ORDER NO. 1 WITH UNITED SURVEY, INC.
FOR THE 2022 SEWER INSPECTION &
CLEANING PROGRAM, AUTHORIZING THE
CLOSEOUT OF SAID CONTRACT, AND
DECLARING AN EMERGENCY**

**ORDINANCE NO. 2023-67
INTRODUCED BY: ADMIN**

**AN ORDINANCE TO REVISE THE CODIFIED
ORDINANCES BY ADOPTING CURRENT
REPLACEMENT PAGES, AND DECLARING
AN EMERGENCY**

**RESOLUTION NO. 2023-68
INTRODUCED BY: ADMIN**

**A RESOLUTION ACCEPTING THE AMOUNT
AND RATES AS DETERMINED BY THE
BUDGET COMMISSION AND AUTHORIZING
THE NECESSARY TAX LEVIES AND
CERTIFYING THEM TO THE COUNTY
FISCAL OFFICER**

**ORDINANCE NO. 2023-69
INTRODUCED BY: ADMIN**

**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
DECLARING AN EMERGENCY**

**ORDINANCE NO. 2023-70
INTRODUCED BY: ADMIN**

**AN ORDINANCE AMENDING ORDINANCE 2023-62
WHICH AUTHORIZED THE CREATION OF THE
MUNICIPAL COURT TRAFFIC CAMERA FUND
NO. 261, AND DECLARING AN EMERGENCY**

**ORDINANCE NO. 2023-71
INTRODUCED BY: MAYOR
WARD AND ALL MEMBERS
OF COUNCIL**

**AN ORDINANCE TO RESCHEDULE THE START
TIME OF THE SECOND REGULAR MEETING OF
COUNCIL TO BE HELD SEPTEMBER 18, 2023 FROM
7:30 P.M. TO 8:00 P.M., AND DECLARING AN
EMERGENCY**

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

Case No. 2023-05

Recommendation made to Council to confirm the decision of the Board in Case No. 2023-05 to grant requested variance to Patrick Frazenburg of 4887 Fairlawn Road for a variance from the provisions of Chapter 1160.04 (a)(2) A of the Planning and Zoning Code which prohibits the parking of commercial vehicles in residential districts. Due to his work obligations, he is requesting a variance to permit the parking of his commercial work vehicle in the driveway of his home.

Case No. 2023-06

Recommendation made to Council to confirm the decision of the Board in Case No. 2023-06 to grant requested variance to Monica Silver of 5317 Chickadee Lane from the provisions of Chapter 1160.04 (a)(6) A of the Planning and Zoning Code, to permit the replacement of an existing eight (8) by twelve (12), ninety-six (96) square foot shed with a nine (9) feet high, ten (10) by fourteen (14), one hundred forty (140) square foot shed on her property in lieu of the permitted eighty (80) square foot shed in a yard that comprises less than forty (40) feet measured from the rearmost part of the rear wall of the dwelling house to the rear property line.

**Planning Commission
Recommendations:**

Recommendation made to Council to approve a 0.695 lot split from 5305 Marian Drive and lot consolidation to 5306 Ridgebury Boulevard as presented.

Recommendation made to Council to approve the site plan dated August 24, 2023, for partial demolition and addition at East Coast Custard, located at 5618 Mayfield Road, including reconfiguration of the parking lot and consideration to add a fulfillment window, as presented with conditions.
