

Lyndhurst, Ohio
January 16, 2023

The Council of the City of Lyndhurst held its Regular Meeting on Monday, January 16, 2023 at 7:34 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;
M. A. Kovalchik, Director of Finance;
K. L. Miller, Assistant Clerk of Council.

Absent: J. Maichle, Building Commissioner.

*Due to travel obligations, Mr. Luskin was present remotely via the Zoom meeting application.

It was moved by Mr. Frey, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Tuesday, January 3, 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 announced the city website is being updated which will include an app and other utilities. The current website continues to be functional; however, no updates will be made. In addition, there will not be any e-newsletters generated until the migration to the new website is complete. Mayor Ward stated he should have a timeline next week.

FINANCE COMMITTEE – Chairperson Grushetsky had no formal report. He did remind his colleagues that the department budget hearings are scheduled for Friday, January 27th from 10-4pm, and the Finance Committee meeting has been scheduled for Thursday, February 23rd at 6:00pm.

PUBLIC LANDS & BUILDINGS COMMITTEE – Chairperson Frey did not have a formal report this evening; however, he mentioned that he will be reaching out to the committee to schedule a meeting to discuss pool fees and operations for the coming year.

ROADS & UTILITIES COMMITTEE – Chairperson Price stated the committee met prior to Council to discuss capital requests and upcoming projects. The committee recommends approving a total of \$1,869,000.00 for roads and miscellaneous utilities, pending the ability of funds.

SERVICE & SEWERS COMMITTEE – Chairperson Price stated the committee met immediately following the Roads & Utilities Committee meeting this evening to discuss capital requests. The committee recommends approving a total of \$1,853,500 pending the ability of funds.

SAFETY COMMITTEE – Chairperson Gambatese had no report.

LEGISLATIVE COMMITTEE – Chairperson Schlessel had nothing to report.

PLANNING COMMISSION – Council member Schlessel stated the commission has not met; therefore, he has no report.

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

There were no requests for additions to the Agenda.

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

Mitchell Freiberg, 55376 Meadow Wood Blvd., submitted a comment in writing prior to the meeting, requesting the Fire Department update the EMS Policy and consider transporting to the University Hospital Main Campus.

Mayor Ward explained the city does not have a “policy” against transport to UH or CCF Main Campus facilities, rather the policy and practice dictates “closest and best” facility as determined by our paramedics and medical directors as well as other factors including distance and turn-around times. He further stated that the patient’s preferences are taken into consideration; however, there is no guarantee as the other medical and community risk factors do and must take precedence.

RESOLUTION NO. 2023-02

INTRODUCED BY: MAYOR WARD AND ALL MEMBERS OF COUNCIL

A RESOLUTION EXPRESSING COMMENDATION AND SINCERE APPRECIATION TO ROBERT REESE FOR LONG AND FAITHFUL SERVICE TO THE RESIDENTS OF LYNDHURST AS MEMBER OF THE LYNDHURST POLICE DEPARTMENT

It was moved by Mr. Frey, seconded by Mr. Price, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2023-02 be placed on third reading for final adoption and that it be read in its entirety.

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

Motion carried.
Rules Suspended.

Resolution No. 2023-02 was read in its entirety by Ms. Miller.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Resolution No. 2023-02 be adopted.

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

Motion carried.
Resolution No. 2023-02 is adopted.

**ORDINANCE NO. 2023-03
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 3 WITH TRAX
CONSTRUCTION COMPANY FOR THE SOUTH SEDGEWICK ROAD
WATERMAIN REPLACEMENT, 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. 2023-03 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-03 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Ordinance No. 2023-03 be passed.

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

Motion carried.
Ordinance No. 2023-03 is passed.

**ORDINANCE NO. 2023-04
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 4 WITH TRAX
CONSTRUCTION COMPANY FOR THE SOUTH SEDGEWICK ROAD
WATERMAIN REPLACEMENT, AUTHORIZING THE CLOSEOUT OF SAID
CONTRACT, 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. 2023-04 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-04 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Frey, that Ordinance No. 2023-04 be passed.

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

Motion carried.
Ordinance No. 2023-04 is passed.

Confirm decision of the Board of Zoning Appeals:

Recommendation made to Council to confirm the decision of the Board in Case No. 2023-01 to grant requested variance to Gary and Deborah Kelm of 360 Eagle Point Drive for an area variance from the provisions of Chapter 1161.11 (n) (3) C of the Lyndhurst Planning and Zoning Code, to construct a deck which will encroach five-point seven (5.7) feet into the required thirty (30) foot rear to side yard distance between adjacent cluster units.

The findings in Case No. 2023-01 as recorded in the minutes of the meeting of the Board of Zoning Appeals held January 9, 2023 were read by Mrs. Miller.

It was moved by Mr. Frey, seconded by Mr. Price, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2023-01 and grant the requested variance.

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

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.

Meeting adjourned at 7:40P.M.

Approved: February 6, 2023

Attest: _____
Clerk of Council

Vice Mayor