

Lyndhurst, Ohio  
May 6, 2024

The Council of The City of Lyndhurst held its Regular Meeting on Monday, May 6, 2024 at 7:33 P.M., Vice Mayor Stephen C. Grushetsky, presiding.

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;  
J. Maichle, Building Commissioner;  
T. Fioritto, Director of Service;  
K. L. Miller, Assistant Clerk of Council.

Absent: Council Representatives J. Price, D. A. Frey;  
M. J. Carroll, Chief of Fire;  
M. A. Kovalchik, Director of Finance.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that the reading of the minutes of the Special Meeting of Council held Monday, April 15, 2024, 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. Schlessel abstaining.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Monday, April 15, 2024, 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. Schlessel abstaining.

**MAYOR'S REPORT** – Mayor Ward reminded everyone of the Community Shredding event coming up this Saturday, May 11<sup>th</sup> from 11:30am-3:30pm. He mentioned that he will not be able to attend and asked for Council members to help if they are able. In addition to shredding, food donations will be accepted as part of the Harvest for Hunger campaign with the Greater Cleveland Food Bank.

Mayor Ward also spoke about the recycling program for solar eclipse glasses, through the Cuyahoga County Solid Waste District's partnership with Astronomers Without Borders. A donation bin will be in the lobby of city hall until the end of May.

**FINANCE COMMITTEE** – Chairperson Grushetsky had no report.

**PUBLIC LANDS & BUILDINGS COMMITTEE** – Chairperson Frey was absent; however, there was nothing to report.

**ROADS & UTILITIES COMMITTEE** – Chairperson Price was not present, and no report was given.

**SERVICE & SEWERS COMMITTEE** – Chairperson Price was absent; therefore, a report was not given.

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

**LEGISLATIVE COMMITTEE** – Chairperson Schlessel reported the committee met this evening and the minutes are forthcoming.

**PLANNING COMMISSION** – Council member Schlessel reported that the commission met two weeks ago to review plans for the creation of an out-lot in The Crossroads, noting there is a recommendation from the Commission on the Agenda this evening.

**SOUTH EUCLID LYNDHURST BOARD OF EDUCATION** – A representative from 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:

Dennis Kane, 1152 Brainard Road, expressed his concerns over the timeframe given to residents to repair their sidewalks as part of the city annual Sidewalk Program. He said he received a letter dated April 17<sup>th</sup> stating he had 4 blocks of sidewalk that needed to be replaced, which the city would do at a cost of \$350 per block. Mr. Kane noted that the letter said he could have the work done himself; however, it had to be completed by April 30<sup>th</sup>. He does not feel this 13 day timeframe is attainable.

Mayor Ward responded that the program is much larger this season and there has been minimal response from residents regarding the timeframe. He continued to speak about the Sidewalk Program and the options residents have to repair cracks or work with the city on damage caused by tree roots. These options are dependent upon the specifics of each sidewalk. Mayor Ward continued to explain the budget and bidding process including the awarding of contracts.

Mr. Kane asked that the city figure out a way to notify residents in a more timely manner because based on the timeframe given, residents have no option to get the work done on their own. He shared that after contacting the city engineer, he was told that he could repair the cracks in 2 of the 4 slabs, which leaves him feeling that the standards are subjective to interpretation. He is also concerned that residents are not aware that they have options.

Mr. Kane also spoke about the replacement bulbs by CEI in the city streetlamps being extremely bright.

Mayor Ward responded that while the lumens are the same, the new bulbs are brighter than the previous cooler lights.

**RESOLUTION NO. 2024-27  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION SELECTING MAYOR HOLZHEIMER-GAIL, AS THE  
MAYOR OF THE CITY OF EUCLID IN CUYAHOGA COUNTY, TO SERVE AS  
A MEMBER OF THE CUYAHOGA COUNTY 9-1-1 PROGRAM REVIEW  
COMMITTEE 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 Resolution No. 2024-27 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2024-27 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Resolution No. 2024-27 be adopted.

Prior to the vote, Mayor Ward explained that it is a state requirement that the 59 municipalities within the County pass legislation to have a representative on the 911 Review Committee. Mayor Holzheimer-Gail had been shadowing Mayor Hruby who previously held the role prior to his retirement.

As far as the 911 Plan, Mayor Ward stated that our city is working with the County on the next generation of 911 that uses a GIS system, which will allow cellular calls to be automatically routed. He commented that there is a fee the cellular companies charge that is supposed to go back to the community. Mayor Ward said he will keep abreast of what is going on and report back to Council.

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

Motion carried.  
Resolution No. 2024-27 is adopted.

**RESOLUTION NO. 2024-28  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION APPROVING CUYAHOGA COUNTY 911 PLAN AS  
ADOPTED BY THE CUYAHOGA COUNTY 9-1-1 PROGRAM REVIEW  
COMMITTEE AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-28 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2024-28 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. 2024-28 be adopted.

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

Motion carried.  
Resolution No. 2024-28 is adopted.

**ORDINANCE NO. 2024-29**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING CHAPTER 757 OF THE BUSINESS REGULATION CODE OF THE CITY TITLED “REGISTRATION AND INSPECTION OF NON-OWNER OCCUPIED OR RENTAL PROPERTY” AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Ordinance No. 2024-29 be placed on first reading.

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

Motion carried.  
Ordinance No. 2024-29 is placed on first reading.

**RESOLUTION NO. 2024-30**  
**INTRODUCED BY: MAYOR WARD AND ALL MEMBERS OF COUNCIL**

**A RESOLUTION DECLARING MAY 5 THROUGH MAY 11, 2024 AS “DRINKING WATER WEEK” IN THE CITY OF LYNDBURST**

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 Resolution No. 2024-30 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2024-30 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Resolution No. 2024-30 be adopted.

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

Motion carried.  
Resolution No. 2024-30 is adopted.

**RESOLUTION NO. 2024-31  
INTRODUCED BY: MAYOR WARD AND ALL MEMBERS OF COUNCIL**

**A RESOLUTION DECLARING MAY 12 THROUGH MAY 18, 2024 AS  
“NATIONAL POLICE WEEK” IN THE CITY OF LYNDBURST**

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 Resolution No. 2024-31 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2024-31 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. Marko, seconded by Mr. LoPresti, that Resolution No. 2024-31 be adopted.

Prior to the vote, Mr. Marko thanked Chief Rhode for all that he and his department do to protect the community.

Mayor Ward shared that there are complimentary blue light bulbs in dispatch available to residents as part of the Light Ohio Blue campaign.

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

Motion carried.  
Resolution No. 2024-31 is adopted.

**RESOLUTION NO. 2024-32  
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN  
AGREEMENT WITH MVGMM INC (PIZZAZZ PIZZA) FOR CONCESSION  
OPERATIONS DURING THE 2024 POOL SEASON 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 Resolution No. 2024-32 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Resolution No. 2024-32 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Gambatese, that Resolution No. 2024-32 be adopted.

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

Motion carried.  
Resolution No. 2024-32 is adopted.

**ORDINANCE NO. 2024-33  
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, 2024 REPEALING ORDINANCE 2024-08  
AND DECLARING AN EMERGENCY**

It was moved by Mr. Marko, seconded by Mr. LoPresti, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2024-33 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.  
Rules Suspended.

Ordinance No. 2024-33 was highlighted by Ms. Miller, with section 11 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Ordinance No. 2024-33 be passed.

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

Motion carried.  
Ordinance No. 2024-33 is passed.

**ORDINANCE NO. 2024-11 (AMENDED)**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE ENACTING CITY OF LYNDHURST CODIFIED  
ORDINANCE CHAPTER 1181 SOLAR ENERGY SYSTEMS**

It was moved by Mr. Marko, seconded by Mr. Schlessel, that Ordinance No. 2024-11 be removed from the table.

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

Motion carried.  
Ordinance No. 2024-11 is removed from the table.

It was moved by Mr. Marko, seconded by Mr. Schlessel, that Ordinance No. 2024-11 be passed as amended.

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

Motion carried.  
Ordinance No. 2024-11 is passed as amended.

**ORDINANCE NO. 2024-12 (AMENDED)**  
**INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE ENACTING CITY OF LYNDHURST CODIFIED ORDINANCE  
CHAPTER 1182 TO REGULATE ELECTRIC VEHICLE CHARGING STATIONS**

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Ordinance No. 2024-12 be removed from the table.

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

Motion carried.  
Ordinance No. 2024-12 is removed from the table.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that Ordinance No. 2024-12 be passed as amended.

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

Motion carried.  
Ordinance No. 2024-12 is passed as amended.

**Planning Commission Recommendations:**

Recommendation made to Council to approve the revised plan at 5096 Mayfield Road, electronically sent May 1, 2024, for The Crossroads, for the creation of an out-lot for the purpose of constructing a single tenant building with a fulfillment window, which will also include a proposed ground level sign and building signage.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Council confirm the decision of the Planning Commission.

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.

The meeting adjourned at 8:10 P.M.

Approved: May 20, 2024

Attest: \_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
Vice Mayor