

Lyndhurst, Ohio
May 20, 2024

The Council of The City of Lyndhurst held its Regular Meeting on Monday, May 20, 2024 at 7:32 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;
M. J. Carroll, Chief of Fire;
J. Maichle, Building Commissioner;
T. Fioritto, Director of Service;
K. L. Miller, Assistant Clerk of Council.

Absent: Council Representative J. A. Marko;
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 Monday, May 6, 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. Price abstaining.

MAYOR'S REPORT – Mayor Ward began by mentioning the resolution which passed at the previous meeting for Police Week, noting the week ended with such a tragedy. He aired how the Lyndhurst Police Department was represented during the funeral procession of fallen police officer Jacob Derbin, with many Lyndhurst officers present at the memorial on Saturday. Mayor Ward expressed his appreciation and presented the executed resolution for National Police Week to Chief Rhode.

Drinking Water Week was also recognized with a resolution and will be presented to the Cleveland Water Department.

Mayor Ward stated the annual sidewalk program has commenced. He also spoke about the upcoming summer concert tribute to Eric Carmen that will take place in Lyndhurst Park on Saturday, August 3rd from 7-9pm. Carmen grew up in Lyndhurst and attended Brush High School. Mayor Ward explained the objective of the sponsorship is to establish a scholarship and assistance for music students in the South Euclid-Lyndhurst school district. He will work with the SEL school music department to identify those opportunities.

Mayor Ward shared how a young resident wrote to him about the bicycle ordinance, noting much of which is outdated or no longer relevant. Upon review, it was referred to the Legislative Committee to be updated and is on Council's agenda this evening for consideration. Mayor Ward explained this is how responsive local government is supposed to work.

Lastly, Mayor Ward announced that retiring Superintendent Dr. Linda Reid is in the audience this evening. He commented on the importance of the working relationship between City Council, the school district, the city administration, and the Lyndhurst community. He also stated that the school board always has a place on Council's Agenda to provide updates. Mayor Ward expressed his appreciation to Dr. Reid.

It was moved by Mr. Schlessel, seconded by Mr. Frey, that Resolution 2024-34 be added to the Agenda and that it be considered immediately.

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

Motion carried.
Resolution 2024-34 was added to the Agenda and considered immediately.

**RESOLUTION NO. 2024-34
INTRODUCED BY: MAYOR WARD AND ALL MEMBERS OF COUNCIL**

A RESOLUTION EXPRESSING COMMENDATION AND SINCERE APPRECIATION TO DR. LINDA N. REID, SUPERINTENDENT OF THE SOUTH EUCLID-LYNDBURST CITY SCHOOLS, FOR HER DEDICATED SERVICE TO THE RESIDENTS OF LYNDBURST AND THE S.E.L. COMMUNITY

It was moved by Mr. Schlessel, seconded by Mr. Frey, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-34 be placed on third reading for final adoption and that it be read in its entirety.

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

Motion carried.
Rules Suspended.

Resolution No. 2024-34 was read in its entirety by Ms. Miller.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Resolution No. 2024-34 be adopted.

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

Motion carried.
Resolution No. 2024-34 is adopted.

Superintendent Reid expressed her gratitude to Mayor Ward and City Council for their continued support over the past 12 years. She also remarked on how this group has conducted themselves in such a professional manner and is a standard on how politics and civic engagement should be.

FINANCE COMMITTEE – Chairperson Grushetsky had no report this evening.

PUBLIC LANDS & BUILDINGS COMMITTEE – Chairperson Frey did not have anything to 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 had no report.

SOUTH EUCLID LYNDHURST BOARD OF EDUCATION – Superintendent Reid took this opportunity to introduce Mr. Dominick Kaple who will be named the next Superintendent of the South Euclid Lyndhurst School District.

Mr. Kaple thanked Dr. Reid and briefly spoke about the importance of community support, especially with the local police and fire departments. He looks forward to building from the foundation Dr. Reid has started!

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Resolution 2024-39 be added to the Agenda

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

Motion carried.
Resolution 2024-39 was added to the Agenda.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Ordinance 2024-40 be added to the Agenda

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

Motion carried.
Resolution 2024-39 was added to the Agenda.

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

A renter at 1084 Richmond Road inquired about Ordinance 2024-29.

Mayor Ward responded that this ordinance has to do with registration and inspection of non-owner occupied rental property, and asked the renters contact his office if there is an issue with the property.

SECOND READING:
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. Price, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2024-29 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-29 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Gambatese, that Ordinance No. 2024-29 be passed.

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

Motion carried.
Ordinance No. 2024-29 is passed.

**RESOLUTION NO. 2024-35
INTRODUCED BY: ADMINISTRATION**

**A RESOLUTION DECLARING MAY 19 THROUGH MAY 25, 2024 AS
“NATIONAL PUBLIC WORKS WEEK” IN THE CITY OF LYNDBURST**

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. 2024-35 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2024-35 was highlighted by Ms. Miller, with section 3 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Resolution No. 2024-35 be adopted.

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

Motion carried.
Resolution No. 2024-35 is adopted.

**ORDINANCE NO. 2024-36
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE CONTINUING A MORATORIUM ON GRANTING ANY BUILDING PERMIT OR CERTIFICATE OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, OR RETAIL SALE OF MEDICAL MARIJUANA FOR A PERIOD NOT TO EXCEED SIX MONTHS FROM THE EFFECTIVE DATE OF THIS ORDINANCE AND DECLARING AN EMERGENCY

It was moved by Mr. Schlessel, seconded by Mr. Frey, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2024-36 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-36 was highlighted by Ms. Miller, with section 8 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. Gambatese, that Ordinance No. 2024-36 be passed.

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

Motion carried.
Ordinance No. 2024-36 is passed.

**RESOLUTION NO. 2024-37
INTRODUCED BY: ADMINISTRATION**

A RESOLUTION CONTINUING A TEMPORARY MORATORIUM ON THE ISSUANCE OF BUILDING PERMITS AND/OR CERTIFICATES OF OCCUPANCY FOR ANY BUILDING, STRUCTURE, USE, OR CHANGE OF USE THAT WOULD ENABLE THE CULTIVATION, PROCESSING, OR RETAIL SALE OF RECREATIONAL MARIJUANA TO ALLOW THE CITY ADMINISTRATION, COUNCIL, AND PLANNING COMMISSION AN OPPORTUNITY TO REVIEW APPLICABLE LAWS AND TO CONSIDER POSSIBLE AMENDMENTS TO THE LYNDHURST ZONING CODE AND DECLARING AN EMERGENCY

It was moved by Mr. Frey, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-37 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2024-37 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Resolution No. 2024-37 be adopted.

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

Motion carried.
Resolution No. 2024-37 is adopted.

ORDINANCE NO. 2024-38
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE AMENDING CHAPTER 474 OF THE TRAFFIC CODE OF THE CITY TITLED “BICYCLES AND MOTORCYCLES GENERALLY” AND DECLARING AN EMERGENCY

It was moved by Mr. Frey, seconded by Mr. Gambatese, that Ordinance No. 2024-38 be placed on first reading.

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

Motion carried.
Ordinance No. 2024-38 is placed on first reading.

RESOLUTION NO. 2024-39
INTRODUCED BY: ADMINISTRATION

A RESOLUTION RATIFYING AND ADOPTING THE COLLECTIVE BARGAINING AGREEMENT NEGOTIATED BETWEEN THE CITY OF LYNDHURST, OHIO, AND THE LYNDHURST FIREFIGHTERS ASSOCIATION, LOCAL 1676 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS, AND RATIFYING AND APPROVING THE EXECUTION OF SAID AGREEMENT BY THE MAYOR, AND DECLARING AN EMERGENCY

It was moved by Mr. Frey, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-39 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2024-39 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. LoPresti, that Resolution No. 2024-39 be adopted.

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

Motion carried.
Resolution No. 2024-39 is adopted.

**ORDINANCE NO. 2024-40
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING ORDINANCE NO. 2024-26 WHICH ESTABLISHED THE SALARY, COMPENSATION, AND HOURLY RATES OF PAY FOR BARGAINING EMPLOYEES IN THE VARIOUS OFFICES AND DEPARTMENTS, AND WHICH CONFIRMED LONGEVITY COMPENSATION, VACATIONS, HOLIDAYS AND OTHER BENEFITS, IN THE CITY OF LYNDHURST, OHIO, REPEALING CERTAIN SECTIONS OF ORDINANCE NO. 2024-26 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY

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. 2024-40 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-40 was highlighted by Ms. Miller, with section 16 being read in its entirety.

It was moved by Mr. LoPresti, seconded by Mr. Frey, that Ordinance No. 2024-40 be passed.

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

Motion carried.
Ordinance No. 2024-40 is passed.

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

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

The meeting adjourned at 8:05 P.M.

Approved: June 13, 2024

Attest: _____
Clerk of Council

Vice Mayor