

Lyndhurst, Ohio
June 5, 2023

The Council of The City of Lyndhurst held its Regular Meeting on Monday, June 5, 2023 at 7:32 P.M., Vice Mayor Stephen C. Grushetsky, presiding.

Members Present: Council Representatives 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;
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.

*Due to military duty assignment, Mr. LoPresti was present remotely via the Zoom meeting application.

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 15, 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 the annual Young at Heart Dance which took place on Sunday at the Community Center. He thanked those for their help, including the Garden Club for donating the center pieces on the serving table.

Mayor Ward aired that it was a great weekend for the pool and spray park opening with many compliments being received for the updates to the flooring. He mentioned the playground improvements should be completed this coming week.

Mayor Ward announced the first Concert in the Park is Wednesday, June 21st with the band Funkology. The Hillcrest Concert Band will perform on July 4th from 7:30-8:30pm. As always, there will be free ice cream!

Lastly, Mayor Ward reminded everyone the next Council Meeting has been moved to July 10th due to the 4th of July holiday.

FINANCE COMMITTEE – Chairperson Grushetsky did not have a report.

PUBLIC LANDS & BUILDINGS COMMITTEE – Mr. Frey did not have a formal report; however, he commented on how nice the floor at the pool facility looks. He was at the pool over the Memorial Day weekend, and all appeared to be running smoothly.

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 – School Board member Kathryn Falkenburg delivered the following report:

Ms. Falkenburg announced the Brush High School graduation ceremony took place on Tuesday, May 30th in the newly air conditioned Welzer Gym. She shared how student speakers addressed their class about making good choices, challenging themselves to step outside of their comfort zones, and to be true to themselves; they also gave a reminder of the obstacles they've had to overcome including learning during a pandemic. Ms. Falkenburg commented that despite those challenges, 10 students graduated with a GPA higher than 4.0. In addition, the senior class earned scholarships over \$3,480,00 with 89 students headed to a 4 year college, 30 students to a 2 year college, and 4 students are entering the military. She also commented that 120 students worked 35 hours per week while managing to fulfill their school responsibilities.

Ms. Falkenburg aired that Memorial Junior High recently hosted an awards ceremony in their new gym to recognize students who demonstrated excellence in academics and school attendance during the 3rd quarter. She mentioned at the 7th grade awards ceremony, 38 students achieved honor roll status, which included a recipient of the Principal's Award for a perfect 4.0 GPA. In addition, 35 students attend merit roll status. During the 8th grade awards ceremony, 38 students made honor roll including a Principal's Award honoree while 37 students received merit roll status.

Ms. Falkenburg reported at Greenview Upper Elementary, several students exhibited the desire to support their classmates and bring positivity to their classrooms. Thanks to the initiatives of the 6th grade language arts class, a different student was recognized each week by their classmates with positive comments being displayed on a whiteboard.

Adrian Elementary, 2nd grade students participated in an assembly led by counselor Lindsey Cutler where they watched a video of how one act of kindness leads to another. Ms. Falkenburg shared the students then made signs for their classrooms showing their individual commitments to acts of kindness.

Rowland Elementary hosted their annual Art Walk on May 12th lead by their art teacher Mrs. Ward, which highlighted student efforts in art class throughout the school year; families had the opportunity to walk the hallways of the school to admire the colorful collage of artwork adorning the walls.

First graders at Sunview Elementary explored STEAM concepts through hands-on interactive activity at Snapology of Cleveland for their spring field trip. The students used Lego bricks and other materials to build cars, and with rubber bands, they learned about the concept of force and motion.

Adrian students, under the tutelage of STEAM lab teacher, learned how to use various combinations of color codes to direct ozobots to complete different objectives including varied speeds, direction, and special moves as they traveled across lines on worksheets. The students then demonstrated their abilities to the School Board Members during the April meeting; their knowledge, excitement, and skill was impressive!

Finally, Ms. Falkenburg reported the SEL Schools will once again host a four week Summer Academy program beginning on June 20th. She expressed hope for a safe and happy summer for our students with lots of learning opportunities!

SPECIAL PRESENTATION – PROPERTY OF DISTINCTION AWARD -
Mayor Ward announced the recipients of the Property of Distinction Awards:

- 4902 Hartley Drive– Earl Ewing
- 1112 Irene Road – Joe & Elena Selvaggio
- 5420 Summit – Eric & Cynthia Brunton
- 5096 Dogwood Trail – Pedro Placido & Meredith Moore

There were no requests for additions to the Agenda.

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

Elyzabeth DeGiovanni, 5169 Thornbury Blvd, thanked Mayor Ward for the lovely Senior Event on Sunday.

Blake Carl, 1856 Winchester Road, submitted the following in writing prior to the Council meeting:

I'm reaching out to you regarding City Ordinance 1385.23. My understanding is that this ordinance is in place to ensure that our city maintains its beauty and to prevent weeds from spreading to neighboring lawns. After reading through this ordinance, I believe there are some necessary changes in order to ensure clear communication, reasonable expectations, and prevent the city from abusing this ordinance as a means of increased revenue. Below are a list of changes that I believe will allow for fairness to the residents while preserving the intent of the ordinance.

1. In the notice to cut grass, add the expected date of completion. The notice reads "WITHIN (3) DAYS OF THIS NOTICE." This allows for confusion on "receipt of notice", which is the common expectation, and the internal writing of the notice. In my case two days after receipt the city sent someone out. The notice should state "BY 6/3/2023". It would take an extra minute and avoid confusion, and in my case I would have made sure the task was complete.
2. Add a duration limit to the statement "Under Section 1385.23, no future notice need to be given for the same violation." Unless I missed it, giving the city the power to send someone out and bill without notice for the rest of time is unfair to the residents. This should be until the end of the calendar year.

3. Regarding the same statement in (2), this should be due to more than a single instance. A two strike or three strike policy before the city no longer has to provide notice will prevent residents from taking an approach of "I'll just mow once I get a notice," but would be much more reasonable when residents have circumstances that cause lawn care to slip. It also prevents the building department from using the ordinance as a source of revenue based solely on an individual's discretion.
4. If the \$200 service to cut the grass/weed fails to bring your lawn into compliance, then the resident has a right to refuse to pay or the city must send someone back out to do the job properly. This just happened on my property. The individual that I was billed \$200 to remedy the situation blatantly ignored all the edging in my backyard (and it was clear that it needed to be done). If this is indeed meant to be a bill for service and not a fine, then the service should be performed correctly.
5. I understand this was just changed, but 6" is unreasonable during the spring months. This should be pretty obvious to anyone watching their lawn grow incredibly fast during high rain periods. We can't expect residents to mow their lawn more than once a week.

I hope you will take into consideration the suggestions listed above. I believe they are reasonable and necessary to adjust the authority the city has over residents to a level in line with the intent of the ordinance.

Amy Proto, 1364 Clearview Road, submitted the following in writing prior to the Council meeting:

I have lived on Clearview Rd for over 35 years. There is excessive speeding during the day, especially during school hours from Brush students and parents. This has continued since summer dismissal. I have personally been involved in drivers not stopping at the stop sign located at Farnhurst and Clearview. It has happened to numerous other drivers encountering a near miss at this same location. I'm not seeing a police presence as there were in previous years in my neighborhood. Thank you for your time.

**ORDINANCE NO. 2023-45
INTRODUCED BY: ADMINISTRATION**

**AN ORDINANCE AMENDING SECTION 1385.03(b) OF THE
CODIFIED ORDINANCES OF THE CITY WITH REGARD TO DWELLING
UNIT STANDARDS, 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. 2023-45 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2023-45 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. Price, that Ordinance No. 2023-45 be passed.

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

Motion carried.
Ordinance No. 2023-45 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 7:51 P.M.

Approved: July 10, 2023

Attest: _____
Clerk of Council

Vice Mayor