

Lyndhurst, Ohio
November 18, 2024

The Council of The City of Lyndhurst held a Regular Meeting on Monday, November 18, 2024 at 7:32 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;
T. Fioritto, Director of Service;
J. Maichle, Building Commissioner;
R. Petrunyak, Director of Finance;
K. L. Miller, Assistant Clerk of Council.

Absent: M. J. Carroll, Chief of Fire.

* Mr. Schlessel and Mr. LoPresti both attended the meeting remotely via the Zoom Meeting Application.

It was moved by Mr. Price, seconded by Mr. Gambatese, that the reading of the minutes of the Special Meeting of Council held Monday, November 4, 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. Frey abstaining.

It was moved by Mr. Price, seconded by Mr. Gambatese, that the reading of the minutes of the Regular Meeting of Council held Monday, November 4, 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. Frey abstaining.

It was moved by Mr. Price, seconded by Mr. Marko, that the re-appointment of Sue Cicero to the Legacy Village Lyndhurst Community Fund be confirmed.

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

Motion carried.
Sue Cicero is re-appointed to the
Legacy Village Lyndhurst Community
Fund.

Mayor Ward introduced Patrol Officer Amy Barnett and Police K9 Sonic. Officer Barnett joined the Lyndhurst Police Department in October of 2020. She showed great interest in being a K9 Officer, and after the vetting process, Officer Barnett earned that opportunity on August 22nd when she met Sonic who is a 17 month old Belgian Malinois from the Czech Republic and imported from The Netherlands. Both Officer Barnett and K9 Sonic have successfully earned their national and state level certifications in the following disciplines: obedience, article and area search, tracking, building search, aggression control, and narcotics detection.

MAYOR'S REPORT – Mayor Ward aired that the Lyndhurst Life Magazine should be in mailboxes this week. He mentioned that Olivia's Dream Toy Drive has started with donation bins in the lobby of city hall and the community center. Mayor Ward shared that the annual turkey giveaway took place this morning. He expressed gratitude for the continued support of Paul Elhindi and the BP Corner Market. Mr. Elhindi provides 400 turkeys to be distributed within the community, with more than 160 going to Grace Church Congregation who is hosting their annual give way on Saturday including canned goods.

Lastly, Mayor Ward reminded everyone that this is the last weekend for Weekend Rubbish Drop Off.

FINANCE COMMITTEE – Chairperson Grushetsky had no report.

PUBLIC LANDS & BUILDINGS COMMITTEE – Chairperson Frey reported that the committee met this evening to discuss the 2025 capital requests for Public Lands & Buildings, Service, Finance, Council, Building, Municipal Court, the Community Center, and Technology. The minutes from the meeting will be forthcoming.

ROADS & UTILITIES COMMITTEE – Chairperson Price had no report.

SERVICE & SEWERS COMMITTEE – Chairperson Price had no report.

SAFETY COMMITTEE – Chairperson Gambatese had no formal report; however, he shared that the minutes from the meeting held November 4th have been submitted.

LEGISLATIVE COMMITTEE – Chairperson Schlessel was not present to give a report.

PLANNING COMMISSION – Council member Schlessel was not present to give a report.

SOUTH EUCLID LYNDHURST BOARD OF EDUCATION – A member of 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:

Dave Holtz, 1679 Lyndhurst Road, along with a few of his neighbors, thanked Council, the Mayor, and all the Department Heads for everything they do for the community.

**ORDINANCE NO. 2024-78
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH UNITED SURVEY, INC. FOR THE 2023 SEWER REHABILITATION PROGRAM, AUTHORIZING THE CLOSEOUT OF SAID CONTRACT, AND DECLARING AN EMERGENCY

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 Ordinance No. 2024-78 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-78 was highlighted by Ms. Miller, with section 6 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. Price, that Ordinance No. 2024-78 be passed.

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

Motion carried.
Ordinance No. 2024-78 is passed.

**ORDINANCE NO. 2024-79
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. Price, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Ordinance No. 2024-79 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-79 was highlighted by Ms. Miller, with section 8 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. Gambatese, that Ordinance No. 2024-79 be passed.

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

Motion carried.
Ordinance No. 2024-79 is passed.

**RESOLUTION NO. 2024-80
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 LYNDBURST ZONING CODE, 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 Resolution No. 2024-80 be placed on third reading for final adoption and that it be highlighted.

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

Motion carried.
Rules Suspended.

Resolution No. 2024-80 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. Gambatese, that Resolution No. 2024-80 be adopted.

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

Motion carried.
Resolution No. 2024-80 is adopted.

**ORDINANCE NO. 2024-81
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING ORDINANCE NO. 2024-50 WHICH ESTABLISHED THE SALARY, COMPENSATION, AND HOURLY RATES OF PAY FOR NON-BARGAINING EMPLOYEES IN THE VARIOUS OFFICES AND DEPARTMENTS, INCLUDING MEMBERS OF BOARDS AND COMMISSIONS, WHICH CONFIRMED LONGEVITY COMPENSATION, VACATIONS, HOLIDAYS AND OTHER BENEFITS, IN THE CITY OF LYNDHURST, OHIO, REPEALING CERTAIN SECTIONS OF ORDINANCE NO. 2024-50 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. 2024-81 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-81 was highlighted by Ms. Miller, with section 14 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. Price, that Ordinance No. 2024-81 be passed.

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

Motion carried.
Ordinance No. 2024-81 is passed.

**ORDINANCE NO. 2024-82
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING ORDINANCE NO. 2024-62 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. 2024-62 INCONSISTENT HEREWITH, AND DECLARING AN EMERGENCY

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 Ordinance No. 2024-82 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-82 was highlighted by Ms. Miller, with section 16 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. Price, that Ordinance No. 2024-82 be passed.

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

Motion carried.
Ordinance No. 2024-82 is passed.

ORDINANCE NO. 2024-83
INTRODUCED BY: ADMINISTRATION

AN ORDINANCE TO MAKE APPROPRIATIONS FOR CURRENT EXPENSES OF THE CITY OF LYNDBURST FOR THE PERIOD ENDING DECEMBER 31, 2024 REPEALING ORDINANCE NO. 2024-77, 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. 2024-83 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-83 was highlighted by Ms. Miller, with section 11 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. Gambatese, that Ordinance No. 2024-83 be passed.

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

Motion carried.
Ordinance No. 2024-83 is passed.

**ORDINANCE NO. 2024-84
INTRODUCED BY: ADMINISTRATION**

AN ORDINANCE AMENDING SECTION 1154.08 OF THE RULES OF THE BOARD OF ZONING APPEALS OF THE CITY OF LYNDHURST, TITLED “RULES OF THE BOARD,” 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. 2024-84 be placed on third reading for final passage and that it be highlighted.

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

Motion carried.
Rules Suspended.

Ordinance No. 2024-84 was highlighted by Ms. Miller, with section 4 being read in its entirety.

It was moved by Mr. Price, seconded by Mr. Gambatese, that Ordinance No. 2024-84 be passed.

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

Motion carried.
Ordinance No. 2024-84 is passed.

**RESOLUTION NO. 2024-85
INTRODUCED BY: MAYOR WARD AND ALL MEMBERS OF COUNCIL**

A RESOLUTION EXPRESSING COMMENDATION AND SINCERE APPRECIATION TO JAMES “JIMMY” JOHNSON 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. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended, that Resolution No. 2024-85 be placed on third reading for final adoption and that it be read in its entirety.

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

Motion carried.
Rules Suspended.

Resolution No. 2024-85 was read in its entirety by Ms. Miller.

It was moved by Mr. Frey, seconded by Mr. Price, that Resolution No. 2024-85 be adopted.

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

Motion carried.
Resolution No. 2024-85 is adopted.

Confirm decision of the Board of Zoning Appeals:

Recommendation made to Council to confirm the decision of the Board in Case No. 2024-05 to grant requested variance to Olympia Christides of 5706 Faraday Road, for an area variance from the provisions of Chapter 1160. of the Planning and Zoning Code, to construct a concrete patio which will encroach six (6) feet into the required forty (40) foot rear yard setback in a ten thousand (10,000) square foot single family zoning district.

The findings in Case No. 2024-05 as recorded in the minutes of the meeting of the Board of Zoning Appeals held November 11, 2024 were read by Mrs. Miller.

It was moved by Mr. Price, seconded by Mr. Gambatese, that Council confirm the decision of the Board of Zoning Appeals in Case No. 2024-05 and grant the requested variance.

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

Recommendation made to Council to confirm the decision of the Board that legislation be amended to change the Regular Meeting Day of the Board of Zoning Appeals to the second Tuesday of each month.

The recommendation was confirmed by Council by the passage of Ordinance No. 2024-84.

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

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

The meeting adjourned at 7:58 P.M.

Approved: December 9, 2024

Attest: _____
Clerk of Council

Vice Mayor