

Lyndhurst, Ohio
May 5, 2014

The Council of the City of Lyndhurst held its Regular Meeting on Monday, May 5, 2014 at 8:07 P.M., Vice Mayor Joseph A. Marko, presiding.

Members Present: Council Representatives J. A. Gambatese, C. A. LoPresti, P. A. Ward, K. C. Packard, L. A. Schlessel, D. A. Frey.

Others Present: P. T. Murphy, Director of Law;
R. F. Porrello, Chief of Police;
F. E. Glady III, Director of Service.
M. A. Kovalchik, Director of Finance;
L. M. Puskas, Building Inspector;
M. A. Franco, Assistant Clerk of Council.

Absent: J. M. Cicero, Jr., Mayor;
M. J. Carroll, Chief of Fire.

It was moved by Mr. Ward, seconded by Mr. Frey, that the reading of the minutes of the Regular Meeting of Council held Monday, April 21, 2014, copies of which were mailed 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 Cicero was absent; therefore, he had no report.

FINANCE COMMITTEE – Chairman Ward read the following minutes into the record:

The Finance Committee met Monday, April 21, 2014 at 7:00 p.m. Present were Council members Frey, Gambatese, LoPresti, Marko, Packard, Schlessel and Ward. Also present were, Mayor Cicero, Finance Director Kovalchik, Chief Carroll and Chief Porrello. The purpose of the meeting was to discuss the Income Tax Rate Issue and Ordinance 2014-25.

In response to Council's concern that there be quality communication and education on this subject for the public Mayor Cicero, Finance Director Kovalchik and Chairman Ward have reviewed what other communities have done in this regard. Several have engaged the services of consulting firms to assure every opportunity to educate the public is provided a quality effort. A meeting was held with one consultant whose firm has assisted communities and school districts with high success in order to get an idea what those efforts might cost. In addition to outlining a strategy, the consultant suggested the City consider moving the date of election for this matter to November.

Discussion was held with members offering their thoughts on the merits of one proposed election date or the other. Many questions were asked and answered in this regard.

Chairman Ward indicated he was not looking for an answer on engaging a consultant or on the election date immediately, rather for Council members to consider both questions carefully to be discussed at a yet-to-be-called meeting. He stated he would call the meeting to take place prior to the May 5th Council meeting, when the Ordinance will be on third reading for adoption, so that if there is a change in date it can be incorporated in that legislation.

A motion was made by Mr. Frey, seconded by Mr. Gambatese, that the meeting be adjourned.

With no further business to discuss the meeting adjourned at 7:25 pm.

The Finance Committee met Monday, April 28, 2014 at 7:00 p.m. Present were Council members Frey, Gambatese, Schlessel and Ward. Also present were, Mayor Cicero and Finance Director Kovalchik. The purpose of the meeting was to further discuss the Income Tax Rate Issue and Ordinance 2014-25.

As a follow-up to last week's meeting and the two questions on the table for the Committee's consideration Chairman Ward, Mayor Cicero and Finance Director Kovalchik have done some additional investigation.

With regard to the day of election, it had been suggested that August might be too tight a time table to properly engage and educate our residents about the issue, why it is necessary, what is at risk, what it might cost and who would bear that burden amongst other issues. It was also suggested that, having the question posed in August, the early election would assure that all focus would be on that issue and that it would not be lost in the sea of questions and candidates and literature associated with the November General Election. While there is no doubt there would be a lot to do in order to assure everything possible has been done to properly educate our residents the fact that the August ballot will have little or no distractions is a big plus. It was moved by Mr. Frey, seconded by Mr. Gambatese that the City proceed with the August election date for this matter. The question passed unanimously.

Chairman Ward reported on additional conversations that had taken place with consultants experienced in assisting communities educate residents on similar issues. Since there is a tight time table and a need for the City to do an excellent job with this outreach it is recommended the City engage a consultant to assist. One company that was contacted had provided an estimate of \$50,000 and another had estimated \$40,000. Mayor Cicero suggested the Committee recommend spending \$35,000. Mr. Schlessel, however, felt that we should allocate no more than \$30,000. It was moved by Mr. Frey, seconded by Mr. Gambatese the City engage a consultant to assist the City in its education efforts. That question passed unanimously.

Mayor Cicero also indicated Council will need to seek the assistance of residents in an effort to pass the ballot question in August. Those efforts would be undertaken outside City Hall and fund raising will need to be done to support that effort.

A motion was made by Mr. Schlessel, seconded by Mr. Gambatese, that the meeting be adjourned.

With no further business to discuss the meeting adjourned at 7:37 pm.

PUBLIC LANDS AND BUILDINGS COMMITTEE – Chairman Schlessel had no report.

ROADS AND UTILITIES COMMITTEE – Chairman Packard had no report.

SERVICE AND SEWERS COMMITTEE – Chairman Gambatese had no report.

SAFETY COMMITTEE – Chairman LoPresti had no report.

LEGISLATIVE COMMITTEE – Chairman Ward had no report.

PLANNING COMMISSION – Mr. Frey stated the Architectural Board of Review met to discuss the façade of Marshall Equipment and revised signage criteria at Crossroads. Mr. Frey said Crossroads inquired if the original sign criteria approved in 1977 between the City and the owners of the Crossroads, be abandoned. Any new signage in the Crossroads would then have to be presented to the Architectural Board of Review. The Architectural Board of Review also discussed the approval of drawings for a new single family home on Haverford.

Mr. Ward stated the Architectural Board of Review recommendation should be on this Agenda.

Mr. Puskas said he the recommendation does not have to go before Council.

Mr. Murphy said he will review what committee the signage originated from.

Mr. Packard stated there was a discussion last year regarding Crossroads signage and inquired if the sign on Richmond Road was included.

Mr. Ward explained the coloration presented would be on all signs.

Mr. Gambatese stated the commitment from the previous owners was from 35 years ago.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION – Ms. Rhine aired the following dates:

May 3, 2014 the Bus Rodeo was held, 3 bus drivers ranked in the top 15;

May 6, 2014 is the start day for OAA testing;

June 5, 2014 is Commencement;

June 11, 2014 is the last day of school for students;

June 12, 2014 is the last day of school for teachers.

Ms. Rhine said students from ArcTech joined other students from Cuyahoga County schools to take part in the "We Are the Majority" rally. They took part in team-building exercises, participated in a march through the streets of Cleveland chanting and shouting that they plan to stay drug and alcohol free, the students then listened to speakers in council chambers at City Hall.

Ms. Rhine announced Brush High School welcomed international photographer and artist Chin-Pao Chen for a portrait workshop on Thursday, May 1, 2014. The event was attended by AP photography students, who had the opportunity to hear a presentation by Mr. Chen regarding his work. A hands-on portrait workshop followed where students learned how to use a 4x5 large format camera by taking portraits of each other. Ms. Rhine also revealed Chin-Pao Chen's visit was made possible through an invitation by Brush Photography Instructor Hadley K. Conner and the Cleveland Print Room.

Ms. Rhine stated on May 3rd the SEL School District partnered with the South Euclid and Lyndhurst Police Departments, for the SEL Schools Bike Rodeo. It was a fun filled morning where students had a chance to conquer several obstacle courses that taught safe bike ridership and watched an entertaining BMX bike show from Dialed Action Sports. All attendees received helmets and/or locks courtesy of the South Euclid Walmart and the Safe Routes to School Grant Program. Ms. Rhine explained the bike rodeo is part of the SEL Schools' Safe Routes to School grant initiative that is providing over \$400,000 of grant money for safer walking and biking routes to school. The rodeo kicks off a series of events in May for Bike/Walk to School Month. Later in May, each K-8 school will host a Walk to School Day to celebrate our Safe Routes to School grant and to promote safe walking to school.

Ms. Rhine reminded Council they may receive phone calls from residents regarding the districts new start and end times.

Ms. Rhine suggested residents visit the district's YouTube channel SEL On Demand.

Ms. Rhine said energy is one of the district's most rapidly rising operating expenses, as the organization faces the challenges of increased expectations and reduced funding, energy management is a necessity. Ms. Rhine stated the district partnered with Cenergistic to assist in reducing consumption of energy within the district.

The meeting was opened to public comment.

Bev Price, 5372 Chickadee, stated both her husband and herself support the tax increase and volunteer to lead any committee to support this issue.

Marlene Harmon, 1687 Lyndhurst, presented the Assistant Clerk of Council with a photo of a home located at 1683 Lyndhurst Road. Ms. Harmon voiced her concerns regarding the vacant home.

Mr. Marko explained the assessing process for bank owed homes is different from homes owned by an individual. Mr. Marko said he would talk to the building department and contact her with further information.

Mr. Murphy stated the home was foreclosed in April, the City is aware of the issue and will do its due diligence to correct the issue as soon as the due process is served.

Arthur Alves, 1898 Aldersgate, inquired the status of the empty Sunoco Gas Station across the street from city hall.

Mr. Murphy informed Mr. Alves the building has been sold and will reopen as a gas station in the near future.

Elyzabeth DeGiovanni, 5169 Thornbury, questioned if the August election will offer early voting and if so who is responsible for the postage.

Mr. Ward stated there will be early voting and the resident mailing the ballot to the Board of Elections would be responsible for the postage; however, the Board of Elections pays for the postage to mail the ballot to the requesting person.

Mr. Schlessel stated the Business Expo will be held May 8th, from 3:00PM – 7:00PM, 700 Beta Drive.

Mr. Ward expressed his gratitude to Ms. Price and her husband for volunteering to lead a committee regarding the tax increase.

Mr. Packard apologized for not being able to attend the Finance Committee Meeting.

THIRD READING
ORDINANCE NO. 2014-25
INTRODUCED BY: ALL
MEMBERS OF COUNCIL

AN ORDINANCE AMENDING CHAPTER 791 OF THE CODIFIED ORDINANCES OF THE CITY OF LYNDHURST ENTITLED “EARNED INCOME TAX” BY INCREASING THE RATE OF MUNICIPAL INCOME TAX SET IN SECTION 791.03 THEREOF FROM ONE AND ONE HALF PERCENT (1 1/2%) PER YEAR TO TWO PERCENT (2%) PER YEAR, PROVIDING FOR SUBMISSION OF THE AMENDMENT TO THE ELECTORS OF THE CITY, AND DECLARING AN EMERGENCY

It was moved by Mr. Ward, seconded by Mr. Schlessel, that Ordinance No. 2014-25 be passed.

Roll Call: Yeas: Ward, Packard, Gambatese, Schlessel, Frey, LoPresti, Marko.
Nays: None.

Motion carried.

Ordinance No. 2014-25 is passed.

**ORDINANCE NO. 2014-30
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING THE MAYOR TO CONTINUE THE AGREEMENT WITH A COUNCIL OF GOVERNMENTS COMPOSED OF THE CITIES OF SOUTH EUCLID, HIGHLAND HEIGHTS, LYNDHURST AND MAYFIELD HEIGHTS, AND THE VILLAGE OF MAYFIELD, PROVIDING FOR THE CONTINUATION OF THE COMMUNITY PARTNERSHIP ON AGING, AND DECLARING AN EMERGENCY

It was moved by Mr. Ward, seconded by Mr. Packard, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2014-30 be placed on third reading for final passage and that it be highlighted.

Roll Call: Yeas: Ward, Packard, Gambatese, Schlessel, Frey, LoPresti, Marko.
Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2014-30 was highlighted by Mrs. Franco, with Section 4 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Ordinance No. 2014-30 be passed.

Roll Call: Yeas: Ward, Packard, Gambatese, Schlessel, Frey, LoPresti, Marko.
Nays: None.

Motion carried.
Ordinance No. 2014-30 is passed

**RESOLUTION NO. 2014-31
INTRODUCED BY: MAYOR CICERO
AND ALL MEMBERS OF COUNCIL**

A RESOLUTION EXPRESSING A VERY HAPPY 100TH BIRTHDAY TO FRANK J. KOVACS

It was moved by Mr. Ward, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Resolution No. 2014-31 be placed on third reading for final adoption and that it be highlighted.

Roll Call: Yeas: Ward, Packard, Gambatese, Schlessel, Frey, LoPresti, Marko.
Nays: None.

Motion carried.
Rules Suspended.

Resolution No. 2014-31 was read in its entirety by Mrs. Franco.

It was moved by Mr. Schlessel, seconded by Mr. Gambatese, that Resolution No. 2014-31 be adopted.

Roll Call: Yeas: Ward, Packard, Gambatese, Schlessel, Frey, LoPresti, Marko.
Nays: None.

Motion carried.
Resolution No. 2014-31 is adopted.

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

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

Approved: May 19, 2014

Meeting adjourned at 8:42 P.M.

Attest: _____
Clerk of Council

Vice Mayor