



City of Lyndhurst, Ohio City Council

Agendas & Minutes

Print [Close](#)

February 18, 2013: City Council

AGENDA:

REGULAR MEETING of the Council of the City of Lyndhurst, Monday, February 18, 2013, at 8:00 P.M., Vice Mayor Patrick A. Ward, presiding.

Members Present:

Council Representatives: J. A. Gambatese, C. A. LoPresti, J. A. Marko, K. C. Packard, L. A. Schlessel, D. A. Frey.

Others Present: J. M. Cicero, Jr., Mayor; P. T. Murphy, Director of Law; R. F. Porrello, Chief of Police; F. E. Gladly III, Director of Service; M. A. Kovalchik, Director of Finance; T. P. Kunz, Building Commissioner; M. J. Carroll, Chief of Fire; M. A. Franco, Assistant Clerk of Council.

COUNCIL:

Minutes:

Approve Minutes of the Regular Meeting of Council held Monday, February 4, 2013.

Committee Reports:

MAYOR'S REPORT - MAYOR CICERO

FINANCE COMMITTEE - WARD

PUBLIC LANDS & BUILDINGS COMMITTEE - MARKO

ROADS AND UTILITIES COMMITTEE - PACKARD

Service and Sewers Committee - PACKARD

SAFETY COMMITTEE - LoPRESTI

LEGISLATIVE COMMITTEE - FREY

AD HOC COMMITTEE ON PERFORMANCE AUDITS - GAMBATESE

PLANNING COMMISSION - SCHLESSEL

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION (First meeting of the month)

Requests for additions to the Agenda:

Public Comment:

ORDINANCE NO. 2013-7 INTRODUCED BY: ADMIN

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,200,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING STREETS BY RESURFACING, PAVING WITH CONCRETE AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-8 INTRODUCED BY: ADMIN

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH ROBINSON PIPE SERVICES, INC., FOR THE 2012 SEWER REHABILITATION PROGRAM AND DECLARING AN EMERGENCY.

ORDINANCE NO. 2013-9 INTRODUCED BY: ADMIN

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN 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.

ORDINANCE NO. 2013-10 INTRODUCED BY: ADMIN

AN ORDINANCE TO LEVY ASSESSMENTS FOR THE CONSTRUCTION OR REPAIR OF SIDEWALKS ON CERTAIN STREETS IN THE CITY OF LYNDHURST, AND DECLARING AN EMERGENCY.

TABLED ITEMS:

ORDINANCE NO. 2012-24 INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING CHAPTER 755 OF THE CODIFIED ORDINANCES OF THE CITY ENTITLED "PEDDLERS AND SOLICITORS" BY AMENDING SECTION 755.01 REGARDING DEFINITIONS.

ORDINANCE NO. 2012-25

INTRODUCED BY: ADMIN

AN ORDINANCE AMENDING CHAPTER 755.07 OF THE CODIFIED ORDINANCES OF THE CITY ENTITLED "PEDDLERS AND SOLICITORS" BY AMENDING SECTION 755.07 REGARDING HOURS FOR PEDDLING, SOLICITING AND CANVASSING.

**ORDINANCE NO. 2012-26
INTRODUCED BY: ADMIN**

AN ORDINANCE AMENDING CHAPTER 755.08 OF THE CODIFIED ORDINANCES OF THE CITY ENTITLED "PEDDLERS AND SOLICITORS" BY AMENDING SECTION 755.08 REGARDING PROHIBITED PLACES.

**February 18, 2013: City Council
MINUTES:**

The Council of the City of Lyndhurst met in Regular Session on Monday, February 18, 2013 at 8:09 P.M., Vice Mayor Patrick A. Ward, presiding.

Members Present:

Council Representatives: J. A. Gambatese, C. A. LoPresti, J. A. Marko, K. C. Packard, L. A. Schlessel, D. A. Frey.

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

Absent: T. P. Kunz, Building Commissioner.

It was moved by Mr. Frey, seconded by Mr. Packard, that the reading of the minutes of the Regular Meeting of Council held Monday, February 4, 2013, 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 had no report.

FINANCE COMMITTEE - Chairman Ward had no report; however, he stated there will be a Finance Committee Meeting February 28th at 7:00PM.

PUBLIC LANDS AND BUILDINGS COMMITTEE - Chairman Marko had no report; however, he stated there will be Public Lands and Buildings Committee Meeting March 4th at 7:00PM.

ROADS AND UTILITIES COMMITTEE

SERVICE AND SEWERS COMMITTEE - Chairman Packard had no report.

SAFETY COMMITTEE - Chairman LoPresti had no report; however, he stated there will be a Safety Committee Meeting February 25th at 7:00PM.

LEGISLATIVE COMMITTEE - Chairman Frey had no report.

AD HOC COMMITTEE ON PERFORMANCE AUDITS - Chairman Gambatese handed Mr. Ward a list of Links of Performance Audits in the state. Mr. Gambatese stated all information requested by Mr. Ward can be found on the websites. Mr. Ward said costs of performance audits cannot be obtained on these websites. Mr. Ward stated that more research regarding performance audits will be required in the coming months after the budget is complete.

PLANNING COMMISSION - Chairman Schlessel had no report.

SOUTH EUCLID-LYNDHURST BOARD OF EDUCATION - No representative was present.

The meeting was opened to public comment:

Edward Klimas, 4893 South Sedgewick, thanked Council for hosting the library meeting and voiced his concern regarding the library's new facility.

Richard Clark, 5347 Chickadee Lane, said he feels a committee should be formed regarding the library. Mr. Clark stated he does not want tax dollars going toward a private development if the Telling Mansion is sold. Mr. Clark spoke of an article in the February 7th newspaper regarding the "windfall" Lyndhurst received. Mr. Clark asked when and what officials knew the money was owed to the City.

Jeff Price, 5372 Chickadee, asked for clarification between financial audits and performance audits. Mr. Price shared his knowledge of audits with Council.

E. Dale Inkley, 5126 East Farnhurst, stated Euclid Creek may be requesting to have its first Tuesday of the month meeting at the community center.

Marge Cirillo, 5173 Graham, noted that Mayor Cicero was not in attendance at the library meeting.

Fran Mentch, 3060 Chelsea, Cleveland Heights, thanked Council for hosting the library meeting. Ms. Mentch voiced her concern of the proposed library's move, facility and location.

Katherine Schaefer, 1172 South Belvoir, South Euclid, asked that Council use their influence to speak to the library board regarding the proposed move.

Tina Tricarichi, 5610 Chelmsford, stated that she received an email from the Restoration Society stating that the Telling Mansion is a sound structure. Ms. Tricarichi asked when Council found out about the move and what Council did about it.

Mr. Ward stated Council found out several months ago and comments were made at a public Council Meeting.

Linda Pagon, 684 Parkside, South Euclid, thanked Council for hosting the library meeting. Ms. Pagon voiced her concern regarding the process the library used to decide the fate of the Mayfield and South Euclid-Lyndhurst library. Ms. Pagon also discussed the lack of information the library provided to the public regarding the proposed move.

Sonny Simon, 4110 Princeton, South Euclid, thanked Council for hosting the library meeting. Ms. Simon stated she will be hosting a meeting next month regarding possible private donations and grants for the preservation of the Telling Mansion.

Mr. Ward addressed the comment made by Mr. Clark regarding the "windfall". Mr. Ward stated that he does not care for the term "windfall" and informed Mr. Clark that the Finance Director informed the Mayor and himself as soon as she learned of the potential monies from the estate tax. Mr. Ward further stated that until the money was in hand the City could not count on it.

**ORDINANCE NO. 2013-7
INTRODUCED BY: ADMIN**

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,200,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF IMPROVING STREETS BY RESURFACING, PAVING WITH CONCRETE AND MAKING OTHER IMPROVEMENTS AS DESIGNATED IN THE PLANS APPROVED OR TO BE APPROVED BY COUNCIL, AND DECLARING AN EMERGENCY.

It was noted that the Fiscal Officer's Certificate had been distributed to all Members of Council.

It was moved by Mr. Marko, seconded by Mr. Gambatese, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2013-7 be placed on third reading for final passage and that it be highlighted.

Roll Call:

Yeas: Marko, Packard, Gambatese, Schlessel, Frey, LoPresti, Ward.

Nays: None.

Motion carried.
Rules Suspended.

Ordinance No. 2013-7 was highlighted by Mrs. Franco, with Section 16 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. LoPresti, that Ordinance No. 2013-7 be passed.

Roll Call:

Yeas: Marko, Packard, Gambatese, Schlessel, Frey, LoPresti, Ward.

Nays: None.

Motion carried.
Ordinance No. 2013-7 is passed.

**ORDINANCE NO. 2013-8
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING CHANGE ORDER NO. 1 WITH ROBINSON PIPE SERVICES, INC., FOR THE 2012 SEWER REHABILITATION PROGRAM AND DECLARING AN EMERGENCY.

It was moved by Mr. Marko, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2013-8 be placed on third reading for final passage and that it be highlighted.

Roll Call:

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

Motion carried.
Rules Suspended.

Ordinance No. 2013-8 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. 2013-8 be passed.

Roll Call:

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

Motion carried.
Ordinance No. 2013-8 is passed.

**ORDINANCE NO. 2013-9
INTRODUCED BY: ADMIN**

AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN 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. Schlessel, seconded by Mr. Marko, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2013-9 be placed on third reading for final passage and that it be highlighted.

Roll Call:

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

Motion carried.
Rules Suspended.

Ordinance No. 2013-9 was highlighted by Mrs. Franco, with Section 5 being read in its entirety.

It was moved by Mr. Schlessel, seconded by Mr. Packard, that Ordinance No. 2013-9 be passed.

Roll Call:

Yeas: Marko, Packard, Gambatese, Schlessel, Frey, LoPresti, Ward.

Nays: None.

Motion carried.

Ordinance No. 2013-9 is passed.

**ORDINANCE NO. 2013-10
INTRODUCED BY: ADMIN**

**AN ORDINANCE TO LEVY ASSESSMENTS FOR THE CONSTRUCTION OR
REPAIR OF SIDEWALKS ON CERTAIN STREETS IN THE CITY OF
LYNDHURST, AND DECLARING AN EMERGENCY.**

It was moved by Mr. Marko, seconded by Mr. Schlessel, that rules set forth under Section 123.01 of the Codified Ordinances be suspended for full reading, that Ordinance No. 2013-10 be placed on third reading for final passage and that it be highlighted.

Roll Call:

Yeas: Marko, Packard, Gambatese, Schlessel, Frey, LoPresti, Ward.

Nays: None.

Motion carried.

Rules Suspended.

Ordinance No. 2013-10 was highlighted by Mrs. Franco, with Section 5 being read in its entirety.

It was moved by Mr. Frey, seconded by Mr. Packard, that Ordinance No. 2013-10 be passed.

Roll Call:

Yeas: Marko, Packard, Gambatese, Schlessel, Frey, LoPresti, Ward.

Nays: None.

Motion carried.

Ordinance No. 2013-10 is passed.

It was moved by Mr. Frey, seconded by Mr. Schlessel, that the meeting be adjourned.

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

Meeting adjourned at 8:59 P.M.

Information provided by:
The City of Lyndhurst, Ohio @ www.lyndhurstohio.gov
on 2/28/2023