

# City of Seven Hills

Record of Minutes of

*SPECIAL* COUNCIL MEETING HELD April 16, 2019

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This *SPECIAL* Council Meeting was called to order by Council President Anthony D. Biasiotta at 9:16 p.m. with the Pledge of Allegiance.

## **ROLL CALL**

Present and accounted for were Mayor Dell'Aquila, Director of Law Pignatiello, Director of Finance Herwick, Councilman-at-Large Elliott, Councilwoman-at-Large Kelly, Councilwoman-at-Large Stager, Ward 1 Councilman Biasiotta, Ward 2 Councilman Martin, Ward 3 Councilman Snitzky, Ward 4 Councilman Greenwald, Director of Public Service and Properties Johnson, Building Commissioner Vittardi, and Engineer Collins.

## **MOTION TO AMEND THE AGENDA**

**MOTION** by Mr. Biasiotta, seconded by Ms. Stager, to waive the twenty-four hour delivery requirement for:

**Ordinance No. 62-2019** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT, FOR THE PURPOSE OF THE DISTRICT PROVIDING FUNDING TO ASSIST THE CITY WITH DISTRICT-APPROVED PROJECTS THROUGH THE COMMUNITY COST-SHARE PROGRAM, SPECIFICALLY THE CITY'S HEMLOCK CREEK WATERSHED UTILITY IMPROVEMENTS PROJECT; AND DECLARING AN EMERGENCY.

and to amend the Agenda by entering Ordinance No. 62-2019 onto the agenda as **Item No. D-7**, as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

## **OPEN TO THE AUDIENCE ON LEGISLATION ONLY**

There were no questions or comments from the audience.

## **ORDINANCES AND RESOLUTION**

**Ordinance No. 126-2017** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH MID-AMERICA SPORTS ADVANTAGE M.A.S.A., OF JASPER, INDIANA, FOR THE RENOVATION OF THE CALVIN BASEBALL FIELDS (THREE (3) FIELDS), WITH APPURTENANCES; AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$33,682.00 FOR SAID SERVICES.

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**MOTION** by Ms. Stager, seconded by Mr. Biasiotta, to read Ordinance No. 126-2017 by title only for its third and final reading.

Roll Call: all yea

**MOTION CARRIED**

Ordinance No. 126-2017 was read by full title only for its third and final reading.

**MOTION** by Ms. Stager, seconded by Mr. Biasiotta, to pass Ordinance No. 126-2017.

**Council President Biasiotta** stated:

“This is an old Ordinance. It was for the provision of dirt at Calvin Park Fields. At the time this was put on, it was third reading. Mayor Dell’Aquila and Councilman Pat Elliott had suggested to me that I make a motion to table this because there was a potential better way to handle this situation -- keeping an open mind that this was on the books, until a better situation presented itself, which I believe is near fruition today with some final steps. So, I will be urging Council to vote ‘no’ on this measure because it has been handled in a different manner.”

Roll Call: all nay

**MOTION DEFEATED**

**ORDINANCE NO. 126-2017 IS DECLARED DEFEATED.**

**Ordinance No. 59-2019** – AN ORDINANCE AUTHORIZING THE MAYOR TO ENACT AN AGREEMENT WITH CUYAHOGA COUNTY, OHIO, THE CITY OF SEVEN HILLS HEREINAFTER REFERRED TO AS THE MUNICIPALITY, IN THE MATTER OF THE HERINAFTER DESCRIBED IMPROVEMENT AND REQUESTS THE COOPERATION OF THE COUNTY OF CUYAHOGA, OHIO, HEREINAFTER REFERRED TO AS THE COUNTY; AND DECLARING AN EMERGENCY. (The Resurfacing of McCreary Road from East Sprague Road to East Pleasant Valley Road in the City of Seven Hills.)

**MOTION** by Mr. Greenwald, seconded by Mr. Biasiotta, to read Ordinance No. 59-2019 by title only for its first and final reading.

**Council President Biasiotta** stated:

“This is the next step in getting McCreary Road paved in partnership with the County. This Ordinance formalizes the relationship and the responsibilities between the City of Seven Hills and Cuyahoga County. We are passing it on emergency so that we can be in the ground earlier as opposed to later.”

Roll Call: all yea

**MOTION CARRIED**

Ordinance No. 59-2019 was read by full title only for its first and final reading.

**Mr. Greenwald** stated:

“I would like to thank you, Mr. President, as well as Mayor Dell’Aquila and all the residents near McCreary Road who signed the petition.”

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**Mr. Greenwald** (continued):

“Thanks to our County Councilperson, Jack Schron, as well as everyone else at the County who was instrumental in helping us do this. McCreary Road is in terrible, terrible shape. This is the agreement which actually accepts the \$250,000.00 from the County. Thank you to all of the people I mentioned, and probably some people I haven’t.”

**Council President Biasiotta** stated:

“I would like to add to the list of thank you’s County Commissioner, Armond Budish, who recommended this. Also, I’d like to commend and thank for his help, County Councilperson Scott Tuma, who is the Chairman of the Parma County Public Works Committee, which got this project through. So, thank you Armond Budish and Scott Tuma.”

**MOTION**

by Mr. Greenwald, seconded by Mr. Biasiotta, to pass Ordinance No. 59-2019 as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**ORDINANCE NO. 59-2019 IS DECLARED PASSED.**

**Ordinance No. 60-2019** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH SPORTS EQUIPMENT SPECIALISTS, OF CLEVELAND, OHIO, FOR THE PURPOSE OF FURNISHING THREE (3) 1650 SOFTBALL SCOREBOARDS, THREE (3) ADVERTISING SIGNS, THREE (3) MPCX2 WIRELESS CONTROLS, THREE (3) MPCX2 CARRYING CASES, AND THREE (3) WIRELESS RECEIVERS, WITH APPURTENANCES, INCLUDING INSTALLATION, FOR CALVIN PARK; APPROPRIATING THE SUM NOT TO EXCEED \$18,898.00 FOR SAID PURCHASE; AND DECLARING AN EMERGENCY.

**MOTION**

by Mr. Elliott, seconded by Mr. Biasiotta, to read Ordinance No. 60-2019 by title only for its first and final reading.

Roll Call: all yea

**MOTION CARRIED**

Ordinance No. 60-2019 was read by full title only for its first and final reading.

**MOTION**

by Mr. Elliott, seconded by Mr. Biasiotta, to pass Ordinance No. 60-2019 as an emergency measure.

**Mr. Elliott** stated:

“I would like to thank Director Burger for her hard work in putting these scoreboards together. We did it looking down the road to try to pay for it by itself by adding the advertising signs on top of it, which will be advertised on a yearly basis. The fee that is collected will go right back into the park system. I think she did an unbelievable job, definitely exceeded her job title.”

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**Mr. Elliott** (continued):

“The price of \$18,898.00.....it’s actually valued a lot more than that. She actually got the company to give us a better deal on this. It is going to figure in our park for a number of years.”

**Council President Biasiotta** stated:

“I would just like to reiterate Councilman Elliott’s comments, particularly about the potential for advertising. There are three sides to this scoreboard for each field, and we look to sell advertising on each side, and it will be renewable every year. Any dollar amount we get from there will certainly go to offset this purchase.”

**Council President Biasiotta** continued:

“In addition, I want to call out all the work that is being done for that price. So, we got almost a \$19,000.00 scoreboard -- yes. But, how does that fit into the bigger picture? We have a \$19,000.00 scoreboard, and tonight we are going to have \$8,000.00 for a fence. That is \$27,000.00. There were other small materials that were put into the field earlier this year for another \$7,000.00. The total of everything that has been put in, in 2019, is under \$33,000.00, and for that we are getting scoreboards, a fence, underground drainage, new infield mix, and significant help with the drainage issues.”

**Council President Biasiotta** continued:

“So, we are getting basically three new fields for under \$33,000.00. We’ll get into that a little tonight. But, I think now is a very appropriate time. I want to give my thank you’s to, specifically, Councilman Elliott for his outstanding work in preparing all these donations, getting stuff for lower than cost, and really being the driving force behind this. Thank you, Councilman. Excellent job! I also want to call out Mayor Dell’Aquila. He very early on, over a year ago, had a vision and felt there was a better way to handle this project, and that took us down this path as well. Thank you, Mayor, for having the foresight. Thanks again, Pat. It is really shaping up and I look forward to seeing ball there this summer. I apologize that was long-winded, but it is a long, good story that needed to be told.”

**Mayor Dell’Aquila** stated:

“We do have a written memorandum from the City Engineer, Dan Collins, outlining some of the information that you just summarized, dated this evening. May I suggest that it be included in the minutes to document what you just outlined?”

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**Council President Biasiotta** concluded:

“I would like to add this in the minutes next week. Engineer Collins put this together on a very preliminary basis. So, I would like to solicit a little more input. If that is okay, Mayor.”

Roll Call: all yea

**MOTION CARRIED**

**ORDINANCE NO. 60-2019 IS DECLARED PASSED.**

**Ordinance No. 61-2019** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH ROLEN BROTHERS FENCE CO., dba FENCE WAREHOUSE, OF CLEVELAND, OHIO, FOR INSTALLATION OF FENCING, WITH APPURTENANCES, AT THE CALVIN PARK BALL FIELDS; APPROPRIATING AN AMOUNT NOT TO EXCEED \$8,379.00 FOR SAID SERVICES; AND DECLARING AN EMERGENCY.

**MOTION** by Mr. Elliott, seconded by Ms. Kelly, to read Ordinance No. 61-2019 by title only for its first and final reading.

**Mr. Elliott** stated:

“I have some more thank you’s to go out. I am going to save all my big thank you’s for when we finally finish the field. I want to acknowledge Fence Warehouse. I negotiated a deal with them to get all three fields fenced and the price they gave us was for what they actually get the fence for. They went above and beyond. It took about two weeks to come up with a price. The big thank you that I am going to give out is Brian Kelly -- he is one of our volunteers. He went up there and staked the entire field out, and measured. He is chomping at the bit, waiting to put the fence in.”

**Mr. Elliott** continued:

“So, right now, we have volunteers lined up, ready to go to put this fence in. Engineer Collins has been unbelievable on this project. If it wasn’t for him, I don’t know if we would have made it this far. Every step of the way, every phone call, Engineer Collins has helped us out with this. I am happy to keep this thing moving, but we’re not there yet, so I will save all the applause when we finally finish it, which hopefully will be in a couple of weeks.”

**Council President Biasiotta** stated:

“I would just like to add that the reason for the emergency is, like Councilman Elliott said, we are a few weeks out from the start of the season and we want to get the ball moving.”

Roll Call: all yea

**MOTION CARRIED**

Ordinance No. 61-2019 was read by full title only for its first and final reading.

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**MOTION** by Mr. Elliott, seconded by Ms. Kelly, to pass Ordinance No. 61-2019 as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**ORDINANCE NO. 61-2019 IS DECLARED PASSED.**

**MOTION** by Mr. Snitzky, seconded by Ms. Stager, to amend Resolution No. 9-2019 by adding the words 'and declaring an emergency' to the title, and by adding the emergency provision to Section 3.

**Council President Biasiotta** stated:

"We are adding the emergency -- it is due to ODOT on April 19, 2019, but please note that this was on for three readings. Whenever possible, we do three readings. We are adding the emergency so that it can go into effect immediately, and we can make our April 19, 2019 deadline."

Roll Call: all yea

**MOTION CARRIED**

**Amended Resolution No. 9-2019** – A RESOLUTION AUTHORIZING THE CITY OF SEVEN HILLS TO PARTICIPATE IN THE ODOT WINTER CONTRACT FOR ROAD SALT; AND DECLARING AN EMERGENCY.

**MOTION** by Mr. Snitzky, seconded by Mr. Biasiotta, to read Amended Resolution No. 9-2019 by title only for its third and final reading.

Roll Call: all yea

**MOTION CARRIED**

Amended Resolution No. 9-2019 was read by full title only for its third and final reading.

**MOTION** by Mr. Snitzky, seconded by Ms. Kelly, to adopt Amended Resolution No. 9-2019, as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**AMENDED RESOLUTION NO. 9-2019 IS DECLARED ADOPTED.**

**Resolution No. 11-2019** – A RESOLUTION AUTHORIZING THE MAYOR AND COUNCIL OF THE CITY OF SEVEN HILLS TO SUBMIT AN 'APPLICATION FOR APPROVAL OF PROJECT USING COUNTY MOTOR VEHICLE LICENSE TAX FUNDS' FOR THE RESURFACING OF MCCREARY ROAD FROM EAST SPRAGUE ROAD TO EAST PLEASANT VALLEY ROAD, IN THE CITY OF SEVEN HILLS (County ID No. 1257); AND DECLARING AN EMERGENCY.

**MOTION** by Mr. Greenwald, seconded by Mr. Biasiotta, to read Resolution No. 11-2019 by title only for its first and final reading.

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**Council President Biasiotta** stated:

“We are passing this on emergency tonight because it also has to do with the appropriation of funds for getting McCreary Road resurfaced. We want to do that as soon as possible.”

Roll Call: all yea

**MOTION CARRIED**

Resolution No. 11-2019 was read by full title only for its first and final reading.

**MOTION** by Mr. Greenwald, seconded by Mr. Biasiotta, to adopt Resolution No. 11-2019 as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**RESOLUTION NO. 11-2019 IS DECLARED ADOPTED.**

**MOTION** by Mr. Snitzky, seconded by Ms. Stager, to amend Ordinance No. 62-2019 by correcting the spelling of the word ‘District’ in Line 4 of the title and by correcting the spelling of the word ‘Community’ in Line 5 of the title.

Roll Call: all yea

**MOTION CARRIED**

**Amended Ordinance No. 62-2019** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A COMMUNITY COST-SHARE AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH THE NORTHEAST OHIO REGIONAL SEWER DISTRICT, FOR THE PURPOSE OF THE DISTRICT PROVIDING FUNDING TO ASSIST THE CITY WITH DISTRICT-APPROVED PROJECTS THROUGH THE COMMUNITY COST-SHARE PROGRAM, SPECIFICALLY THE CITY’S HEMLOCK CREEK WATERSHED UTILITY IMPROVEMENTS PROJECT; AND DECLARING AN EMERGENCY.

**MOTION** by Mr. Snitzky, seconded by Ms. Stager, to read Amended Ordinance No. 62-2019 by title only for its first and final reading.

Roll Call: all yea

**MOTION CARRIED**

Amended Ordinance No. 62-2019 was read by full title only for its first and final reading.

**MOTION** by Mr. Snitzky, seconded by Ms. Stager, to pass Amended Ordinance No. 62-2019 as an emergency measure.

**Council President Biasiotta** stated:

“Amended Ordinance No. 62-2019 is yet another partnership with another tax entity, in this case it is the Northeast Ohio Sewer District, saving Seven Hills taxpayers money. In this particular instance, it is for curbs and gutters on Nemet Drive, that if we did not find another source, it would have been assessed to our residents.”

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**Council President Biasiotta** (continued):

“What we are applying for here is additional work on Nemet Drive totaling \$42,017.50. If this is approved, and we anticipate it will be, this is another \$42,000.000 saved through a partnership. This particular one is a savings directly to the residents of Hemlock.

Roll Call: all yea

**MOTION CARRIED**

**AMENDED ORDINANCE NO. 62-2019 IS DECLARED PASSED.**

## **OPEN TO THE AUDIENCE**

There were no questions or comments from the audience.

## **OTHER BUSINESS**

**Mr. Martin** had no miscellaneous comments.

**Mr. Snitzky:**

I have to get some kudos out to Engineer Collins. He and I have probably shared a dozen or more emails in the last two days relating to the questions that arose from the residents of my Ward. We had successful Ward meetings this past weekend -- but there were a lot of questions.

Thank you to Engineer Collins for going after a NEORS Grant to help do the gutters and curbs on Nemet Drive. It is greatly appreciated by the residents.

Councilman Elliott, I have got to give it to you on what you are doing down there at Calvin Park.

Lastly, I wore my Easter-Egg-Yellow shirt tonight. I hope everybody has a nice Easter.

**Mr. Greenwald:**

I acknowledged this at the Ward Meetings, and I would like to acknowledge once again. The amount of work that Councilman Elliott has gotten done and horse-traded for, and however he managed to do things and get all the renovations on Calvin Park done at the cost they have been done for the City, is just remarkable. I would like to thank Councilman Elliott, Mayor Dell'Aquila, and Engineer Collins, who did some engineering work on the project. Also, everyone else who is involved who I do not know about because I haven't been all that involved.



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**Mr. Greenwald** (continued):

I would also like to thank Mayor Dell'Aquila, again, as well as Council President Biasiotta and Engineer Collins.....as well as everyone at the County, on the McCreary Road Project. I would like to thank the County for allowing us to do that this year. This was something we were really hoping to be able to do. Thanks everyone.

**Ms. Stager** had no miscellaneous comments.

**Mr. Elliott:**

I have one thing, and I apologize that I forgot him, and this goes back to Ordinance No. 60-2019. Building Commissioner Vittardi reached out at a time where I could not -- my mother was ill. He reached out and took over on my behalf to Frank Perry from the Electricians Union. He took off on this when I was not able to, and received a donation of \$1,500.00.

This donation is going toward the conduit and the electrical is going to go to the scoreboards -- without that it would have been even more difficult to get this project done. It is also there for future lighting at Field Number 1 at Calvin Park. I know Rich Vittardi is continuing on working on that, so thanks, Rich, for helping out and being part of the team.

**Ms. Kelly:**

I would also like to thank Councilman Elliott for his hard work at the Calvin Fields, securing the donations, volunteers, and everything that goes along with that. I would also like to thank Mayor Dell'Aquila, our City Engineer, Dan Collins, and the Building Commissioner, Rich Vittardi, for their role in it, too. When everyone comes together as one, it works out great. Thank you so much. I cannot wait to see the finished project.

Also, I wanted to thank all of our residents for coming out this past week and partaking in our Ward Meetings. It was a highly attended event, and I am looking forward to doing it again in October. Thank you.

**Council President Biasiotta:**

Tonight is the night for thank you's, and we will do it again later. I think we are just at a point where we have to acknowledge some good things.

Coming off the Ward Meetings, I feel great. The feedback was just outstanding and attendance was very good. I want to thank Councilwoman Kelly for organizing that on behalf of Council and everybody else that pitched in.

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**Council President Biasiotta (continued):**

The Ward Meetings.....I would like to congratulate Councilman Snitzky -- he was taking many, many very specific difficult questions. The questions were about sewers, paving, and laterals. They were tough questions, and I thought he handled himself very professionally and stuck with it, and took everyone that had questions into a side bar and saw that those questions were immediately answered. I really think that is the job of a Councilman -- you do not always have the answers at hand, but you have the wherewithal to get the answers and the follow-up. I thought he did a real good job handling the tough situations. Councilman Snitzky -- I'll call it out when I see it.

I can talk about so many others things with our Engineer and everything, but it is getting late. I know we will probably plan something bigger to announce this, but I really do not want anyone to be left out tonight. I know, Councilman Elliott, you have a bigger announcement planned I would assume, but really quick, I want to thank these people for donating goods, and services -- Solar Testing Laboratories, TY Incorporated, Fabrizi Trucking, Kurtz Brothers who donated a hundred tons of infield mix, Independence Excavating, and then at the very top of the list, Local 18 Operating Engineers, equipment, machinery, fuel, manpower, mobilization and trucking. Without them, this all would not have been possible either. So many people to thank and so little time.

It is so great to see all these plans come together -- not just the park, but the stuff that is going to go around it, the McCreary Road street paving. To reiterate what I put in two newsletters ago, it is just amazing what we can accomplish when we are all working together and everybody doing their own part and contributing to the group as a whole. Thank you so much, everyone. I look forward to more partnerships in the future and with the administration. Thanks for having patience with us all, as we strive to accomplish a lot in a short period of time.

Thank you, Director Pignatiello, for reminding me earlier in the Caucus Meeting. It was brought to our attention that our Moratorium, on short-term residential, expires the month of April. In discussions with the general public in the Caucus Meeting earlier today, we decided it is best to extend this Moratorium by ninety days.

**MOTION** by Mr. Biasiotta, seconded by Ms. Stager, to extend our Resolution enacting a Moratorium for Short-Term Residential Real Estate Rentals in the City of Seven Hills for a period of ninety days.

Roll Call: all yea

**MOTION CARRIED**

**The Moratorium for Short-Term Residential Real Estate Rentals in the City of Seven Hills has been extended for a period of ninety days.**

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**Engineer Collins:**

I just wanted to apologize to Councilman Snitzky for my prior commitments. I could not make it to your Ward 3 Meeting. I was glad that I was able to answer the questions and emails in a timely manner for you and your constituents. Again, I apologize.

I want to thank you, Councilman Snitzky, and Councilman Elliott, Councilman Greenwald, and Councilwoman Kelly for your acknowledgements. That is all I have. Thank you.

**Building Commissioner Vittardi** had no miscellaneous comments.

**Director of Public Service and Properties Johnson** had no miscellaneous comments.

**Finance Director Herwick** had no miscellaneous comments.

**Mayor Dell'Aquila:**

I just want to repeat what has already been described. We had so many people involved in getting Calvin Park together the way it is. I am so proud of everybody here on the dais and all our volunteers. Everybody worked so hard to bring this thing to a conclusion. There were some bumps along the road and we knew there were going to be difficulties. Every single time a conflict came up, a problem came up, something was in the way, and everybody here found a way to overcome it.

What a great result we are about to achieve for the residents. I don't want to count our chickens just yet, but it looks like it is going to be a really, really wonderful amenity for our kids and our residents. Thank you everybody for your kind words as well.

I thought the Ward Meetings were very well put together and very well attended. I also heard a lot of positive comments about it.

There is a well-spring of support among our residents for everybody on this dais, and the work that is being done on behalf of our City. It makes me proud. It makes me feel good to know that the hard work of everybody here is paying off. People are noticing the accomplishments that are being achieved here.

**Law Director Pignatiello:**

I will keep it simple. I want to thank everyone for everything they did on Calvin Park.

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There was no further business brought before Council.

**MOTION** by Mr. Biasiotta, seconded by Ms. Kelly, to adjourn the meeting.

Roll Call: all yea

**MOTION CARRIED**

**The April 16, 2019 Special Council Meeting was adjourned at 9:54 p.m.**

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Anthony D. Biasiotta, President of Council

Attest: \_\_\_\_\_  
Carol L. Sekerak, Clerk of Council

Date: \_\_\_\_\_

Transcribed 5/01/19  
Lisa Plisko, Council Assistant  
(Edited C. Sekerak)