

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD February 22, 2022

This Regular Council Meeting was called to order by President of Council Phillip Kiriazis at 8:15 p.m. with the Pledge of Allegiance.

ROLL CALL

Present and accounted for were Mayor Biasiotta, Director of Law Pignatiello, Director of Finance Petrunyak, Councilman-at-Large Elliott, Councilwoman-at-Large Kelly, Councilman-at-Large Kulju, Ward 1 Councilman Kiriazis, Ward 2 Councilman Martin, Ward 3 Councilman Snitzky, Ward 4 Councilman Dell'Aquila, Building Commissioner Grassi, and Engineer Schmitzer.

Absentee was Director of Public Service and Properties Johnson.

Motion to Excuse Absentee

MOTION by Mr. Kiriazis, seconded by Mr. Snitzky, to excuse the absence of Director of Public Service and Properties Johnson from tonight's meeting.

Roll Call: all yea

MOTION CARRIED

Director of Public Service and Properties Johnson was excused from the February 22, 2022 Regular Council Meeting.

READING AND DISPOSAL OF JOURNAL

MOTION by Mr. Kulju, seconded by Mr. Kiriazis, to accept the Minutes of the Regular Council Meeting held February 8, 2022, as printed.

Roll Call: all yea

MOTION CARRIED

CONSENT AGENDA

There were no submissions for the February 22, 2022 Consent Agenda.

RESOLUTIONS OF COMMENDATION

There were no Resolutions of Commendation.

REPORTS OF COMMITTEES

Planning, Zoning, and Economic Development

Planning, Zoning, and Economic Development Committee Chairman Snitzky stated that the Committee last met this evening, February 22, 2022, and the minutes from that meeting will be filed with the Clerk of Council as soon as they are written up. Mr. Snitzky said that the Committee will hold its next regular meeting on Tuesday, March 29, 2022.

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Public Works

Public Works Committee Chairman Kulju stated that the Committee last met on Tuesday, February 8, 2022, and the minutes from that meeting are on file with the Clerk of Council. Mr. Kulju said that the Committee will hold its next regular meeting on Tuesday, March 15, 2022.

Community Services

Community Services Committee Chairperson Kelly stated that the Committee last met on Tuesday, February 8, 2022, and the minutes from that meeting are on file with the Clerk of Council. Ms. Kelly said that the Committee will hold its next regular meeting on Tuesday, March 15, 2022.

Police and Fire

Police and Fire Committee Chairman Elliott stated that the Committee last met on Tuesday, February 8, 2022, and the minutes from that meeting are on file with the Clerk of Council. Mr. Elliott said that the Committee will hold its next regular meeting on Tuesday, March 15, 2022.

Parks and Recreation

Parks and Recreation Committee Chairman Martin stated that the Committee last met this evening, February 22, 2022, and the minutes from that meeting are pending. Mr. Martin said that the Committee will hold its next regular meeting on Tuesday, March 29, 2022.

Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chairman Dell'Aquila stated that the Committee last met this evening, February 22, 2022, and the minutes from that meeting are currently being prepared. Mr. Dell'Aquila said that the Committee will hold its next regular meeting on Tuesday, March 29, 2022.

Finance, Civil Service, and Personnel

Finance, Civil Service, and Personnel Committee Chairperson Kiriazis stated that the Committee last met this evening, February 22, 2022, and the minutes from that meeting are pending. Mr. Kiriazis said that the Committee will hold its next meeting on Tuesday, March 15, 2022.

APPOINTMENTS AND CONFIRMATIONS

Mayor Biasiotta stated that he would like Council to reappoint Mr. Dale Stefanini to the Zoning Board of Appeals. Mr. Stefanini is a current member of The Zoning Board of Appeals and a former Seven Hills fireman. Mayor Biasiotta said that this will be Mr. Stefanini's second term on the Board of Zoning Appeals.

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MOTION by Mr. Kiriazis, seconded by Mr. Snitzky, to confirm and accept the reappointment of Mr. Dale Stefanini to the Zoning Board of Appeals for a second term ending in May, 2027.

Council President Kiriazis stated that Mr. Stefanini's current term will expire on May 20, 2022. The new term will end in May, 2027. Mr. Stefanini is a former Seven Hills firefighter.

Roll Call: all yea

MOTION CARRIED

Dale Stefanini's reappointment to the position of Member of the Zoning Board of Appeals is hereby approved.

COMMUNICATIONS, PETITIONS, AND CLAIMS

There were no communications, petitions, or claims.

COUNCIL OPEN TO THE AUDIENCE ON LEGISLATION ONLY

There were no questions or comments from the audience.

ORDINANCES AND RESOLUTIONS

Ordinance No. 14-2022 -- AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CUSTOMER SERVICES AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH EASE@WORK EAP, LLC (ALLONE HEALTH RESOURCES, INC.) FOR THE PURPOSE OF PROVIDING EMPLOYEE ASSISTANCE SERVICES FOR A TWO-YEAR PERIOD COMMENCING JANUARY 21, 2022 AND TERMINATING JANUARY 20, 2024; APPROPRIATING AN AMOUNT NOT TO EXCEED \$5,000.00 ANNUALLY; AND DECLARING AN EMERGENCY.

MOTION by Mr. Dell'Aquila, seconded by Mr. Martin, to suspend the Rules of Council and read Ordinance No. 14-2022 by title only for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 14-2022 was read by full title only for its first and final reading.

MOTION by Mr. Dell'Aquila, seconded by Mr. Martin, to approve the emergency clause in Section 4 of Ordinance No. 14-2022.

Mr. Dell'Aquila stated the reason for the emergency provision is that the proposed contract commences on January 21, 2022, and we are currently in the month of February.

Roll Call: all yea

MOTION CARRIED

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MOTION by Mr. Dell'Aquila, seconded by Mr. Martin, to pass Ordinance No. 14-2022 as an emergency measure.
Roll Call: all yea **MOTION CARRIED**

ORDINANCE NO. 14-2022 IS DECLARED PASSED.

Ordinance No. 15-2022 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH AMERICAN FIREWORKS COMPANY OF HUDSON, OHIO, FOR THE PURPOSE OF SELLING, FURNISHING, DELIVERING AND PRESENTING TWO (2) FIREWORKS DISPLAY SHOWS FOR THE CITY OF SEVEN HILLS 2022 HOMEDAYS; AND APPROPRIATING A SUM NOT TO EXCEED \$13,250.00 FOR SAID SERVICE.

Ordinance No. 15-2022 was read by full title only for its first reading.

Ordinance No. 16-2022 – AN ORDINANCE TO AMEND THE APPROPRIATIONS OF THE CITY OF SEVEN HILLS, OHIO, FOR THE YEAR ENDING DECEMBER 31, 2022.

Ordinance No. 16-2022 was read by full title only for its first reading.

Resolution No. 5-2022 – A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATION AGREEMENT WITH THE VILLAGE OF BROOKLYN HEIGHTS FOR THE PROPOSED BELMONT DRIVE RESURFACING PROJECT COMMENCING IN THE 2022 CONSTRUCTION SEASON; AND DECLARING AN EMERGENCY.

MOTION by Mr. Elliott, seconded by Mr. Kiriazis, to suspend the Rules of Council and read Resolution No. 5-2022 by title only for its first and final reading.
Roll Call: all yea **MOTION CARRIED**
Resolution No. 5-2022 was read by full title only for its first and final reading.

MOTION by Mr. Elliott, seconded by Mr. Kiriazis, to approve the emergency clause in Section 3 of Resolution No. 5-2022.
Roll Call: all yea **MOTION CARRIED**

MOTION by Mr. Elliott, seconded by Mr. Kiriazis, to adopt Resolution No. 5-2022 as an emergency measure.
Roll Call: all yea **MOTION CARRIED**

RESOLUTION NO. 5-2022 IS DECLARED ADOPTED.

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COUNCIL OPEN TO THE AUDIENCE

There were no questions or comments from the audience.

REPORTS AND COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

Mayor Biasiotta had no formal report.

REPORTS FROM THE DIRECTORS OF DEPARTMENTS AND OTHER OFFICIALS

Director of Finance Petrunyak had no formal report.

Director of Law Pignatiello had no formal report.

Director of Public Service & Properties Johnson was not present.

Engineer Schmitzer:

Engineer Schmitzer stated that the 2022 Pavement Rehabilitation Program will be advertised for bids on February 24, 2022, and the bid opening will be held on March 14, 2022.

Building Commissioner Grassi:

Building Commissioner Grassi stated that he had nothing new to report from the Building Department.

MISCELLANEOUS AGENDA – MOTIONS

Mr. Snitzky:

Councilman Snitzky stated that he had a few items this evening.

At the February 16, 2022 meeting of the Zoning Board of Appeals, the Board made the following motion regarding a variance requested:

Vanessa Hanus, 3001 Rockside Road

That the Board grant the applicant and property owner, Vanessa Hanus, 3001 Rockside Road, a variance to Ordinance No. 993.01, Residence Districts, Rear Yards, to allow the construction of a proposed 24' x 24' addition that will encroach into the required 50' rear yard setback varying from 0' at the Northeast corner of the proposed addition to 14.375 feet at the northwest corner of the proposed addition as depicted on the submitted drawings.

Roll Call: 4 yea, 0 nay

**MOTION CARRIED
VARIANCE APPROVED**

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MOTION

by Mr. Snitzky, seconded by Mr. Dell'Aquila, to concur with the decision of the Zoning Board of Appeals of February 16, 2022, in granting the variance request of applicant and property owner **Vanessa Hanus of 3001 Rockside Road:**

A variance to Ordinance No. 993.01, Residence Districts, Rear Yards, to allow the construction of a proposed 24' x 24' addition that will encroach into the required 50' rear yard setback varying from 0' at the Northeast corner of the proposed addition to 14.375 feet at the northwest corner of the proposed addition as depicted on the submitted drawings.

Roll Call: all yea

MOTION CARRIED

Also, at the February 16, 2022 meeting of the Zoning Board of Appeals, the Board made the following motion regarding a variance requested:

Richard and Doreen Dubsky, 7639 McCreary Road

That the Board grant the applicants and property owners, Richard and Doreen Dubsky, 7639 McCreary Road, a 5'5" variance to Ordinance No. 993.02(a) and a 7'4" variance to Ordinance No. 993.02(b), Residence Districts, Side Yards, to allow the construction of a proposed 12' x 16' deck to be 2'6" from the northern interior side yard property line and 9'5" from the neighboring dwelling as depicted on the submitted drawings.

Roll Call: 4 yea, 0 nay

**MOTION CARRIED
VARIANCE APPROVED**

MOTION

by Mr. Snitzky, seconded by Mr. Dell'Aquila, to concur with the decision of the Zoning Board of Appeals of February 16, 2022, in granting the variance request of applicants and property owners **Richard and Doreen Dubsky of 7639 McCreary Road:**

A 5'5" variance to Ordinance No. 993.02(a) and a 7'4" variance to Ordinance No. 993.02(b), Residence Districts, Side Yards, to allow the construction of a proposed 12' x 16' deck to be 2'6" from the northern interior side yard property line and 9'5" from the neighboring dwelling as depicted on the submitted drawings.

Ms. Kelly stated she would recuse from this vote as she appeared on behalf of Richard and Doreen Dubsky at the Zoning Board hearing.

Roll Call: Dell'Aquila, yea; Elliott, yea; Kiriazis, yea; Kulju, yea;
Martin, yea; Snitzky, yea

6 yea, 0 nay (Kelly recused)

MOTION CARRIED

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Also, at the February 16, 2022 meeting of the Zoning Board of Appeals, the Board made the following motions regarding variances requested:

Proposed Raising Cane's Restaurant, 4450 Rockside Road

That the Board grant the property owner, Raising Cane's Restaurants LLC (applicant OLIO Development Group), at 4450 Rockside Road,

1. A VARIANCE TO ORDINANCE NO. 979.15, OFF-STREET PARKING, TO ALLOW 38 PROPOSED PARKING SPACES THAT WILL BE 6 PARKING SPACES SHORT OF THE 44 PARKING SPACES REQUIRED AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT.

Roll Call: 4 yea, 0 nay

**MOTION CARRIED
VARIANCE APPROVED**

2. A VARIANCE TO ORDINANCE NO. 979.13(E)2(V) TO ALLOW THE PROPOSED 45% TRANSPARENCY ON THE NORTH SIDE FAÇADE AND THE PROPOSED 58% TRANSPARENCY ON THE WEST SIDE FAÇADE BE LESS THAN THE 60% TRANSPARENCY REQUIRED AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT.

Roll Call: 4 yea, 0 nay

**MOTION CARRIED
VARIANCE APPROVED**

3. A VARIANCE TO ORDINANCE NO. 979.13(d), DESIGN STANDARDS-SIGNS, TO ALLOW TWO (2) PROPOSED NEON SIGNS THAT ARE NOT PERMISSIBLE PER ORDINANCE IN THE ROCKSIDE ROAD SOUTH PUD AREA AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT.

Roll Call: 4 yea, 0 nay

**MOTION CARRIED
VARIANCE APPROVED**

4. A VARIANCE TO ORDINANCE NO. 171.10(d), LOCATION AND SUPPLEMENTARY AREA REGULATIONS FOR SIGNS IN BUSINESS DISTRICTS, TO ALLOW THREE (3) GROUND SIGNS IN ADDITION TO THE PERMITTED MONUMENT SIGN AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT.

Roll Call: 4 yea, 0 nay

**MOTION CARRIED
VARIANCE APPROVED**

5. A VARIANCE TO ORDINANCE NO. 171.09(b)(1)&(2), SIGNS IN BUSINESS DISTRICTS GENERALLY, MAXIMUM ALLOWABLE SIGNAGE AREA OF THE SITE, TO ALLOW PROPOSED 273.05 SQUARE FEET OF GROSS AREA OF ALL PERMANENT SIGNS WHICH EXCEEDS THE MAXIMUM GROSS AREA PERMITTED (213.2 sq. ft.) BY 60.75 SQUARE FEET AND TO ALLOW PROPOSED 182.75 SQUARE FEET OF BUILDING SIGNAGE EXCEEDING THE 165.60 SQUARE FEET ALLOWED BY 17.15 SQUARE FEET AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT.

Roll Call: 4 yea, 0 nay

**MOTION CARRIED
VARIANCE APPROVED**

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MOTION

by Mr. Snitzky, seconded by Mr. Dell'Aquila, to concur with the decision of the Zoning Board of Appeals of February 16, 2022, in granting the variance requests of property owner **Raising Cane's Restaurants LLC** (Applicant OLIO Development Group), at **4450 Rockside Road**:

A VARIANCE TO ORDINANCE NO. 979.15, OFF-STREET PARKING, TO ALLOW 38 PROPOSED PARKING SPACES THAT WILL BE 6 PARKING SPACES SHORT OF THE 44 PARKING SPACES REQUIRED AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT; and

A VARIANCE TO ORDINANCE NO. 979.13(E)2(V) TO ALLOW THE PROPOSED 45% TRANSPARENCY ON THE NORTH SIDE FAÇADE AND THE PROPOSED 58% TRANSPARENCY ON THE WEST SIDE FAÇADE BE LESS THAN THE 60% TRANSPARENCY REQUIRED AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT; and

A VARIANCE TO ORDINANCE NO. 979.13(d), DESIGN STANDARDS-SIGNS, TO ALLOW TWO (2) PROPOSED NEON SIGNS THAT ARE NOT PERMISSIBLE PER ORDINANCE IN THE ROCKSIDE ROAD SOUTH PUD AREA AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT; and

A VARIANCE TO ORDINANCE NO. 171.10(d), LOCATION AND SUPPLEMENTARY AREA REGULATIONS FOR SIGNS IN BUSINESS DISTRICTS, TO ALLOW THREE (3) GROUND SIGNS IN ADDITION TO THE PERMITTED MONUMENT SIGN AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT; and

A VARIANCE TO ORDINANCE NO. 171.09(b)(1)&(2), SIGNS IN BUSINESS DISTRICTS GENERALLY, MAXIMUM ALLOWABLE SIGNAGE AREA OF THE SITE, TO ALLOW PROPOSED 273.05 SQUARE FEET OF GROSS AREA OF ALL PERMANENT SIGNS WHICH EXCEEDS THE MAXIMUM GROSS AREA PERMITTED (213.2 sq. ft.) BY 60.75 SQUARE FEET AND TO ALLOW PROPOSED 182.75 SQUARE FEET OF BUILDING SIGNAGE EXCEEDING THE 165.60 SQUARE FEET ALLOWED BY 17.15 SQUARE FEET AS DEPICTED ON THE DRAWINGS SUBMITTED BY THE APPLICANT;

if there is no division of the question

Roll Call: all yea

MOTION CARRIED

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MISCELLANEOUS

Mr. Kulju had no miscellaneous comments.

Mr. Elliott had no miscellaneous comments.

Mr. Dell'Aquila had no miscellaneous comments.

Mr. Martin:

Mr. Martin said today is an interesting day -- it is 2-22-22. So, if you like two's, this is your day. If you like numbers that read the same forward and backward, this is your day. You get a day every day this month. There is a name for this -- and it is called a palindrome.

Council President Kiriazis added.....and it also is a "2's"-Day!!

Mr. Snitzky:

Mr. Snitzky spoke about Raising Cane's Restaurant and their proposed signage. He added that they will have a double drive-through -- a set up like Chick-fil-A Restaurants.

Ms. Kelly had no miscellaneous comments.

Council President Kiriazis had no miscellaneous comments.

Council President Kiriazis said if there is no other business to come before Council, I would like to make a motion to adjourn.

MOTION by Mr. Kiriazis, seconded by Mr. Elliott, to adjourn the meeting.

Roll Call: all yea

MOTION CARRIED

The February 22, 2022 Regular Council Meeting was adjourned at 8:34 p.m.

Phillip Kiriazis, President of Council

Attest: _____
Carol L. Sekerak, Clerk of Council

Date: _____

Transcribed 06/14/2022
Judy Goslin, Assistant Clerk of Council
(Edited Carol Sekerak)