

City of Seven Hills

Record of Minutes of

SPECIAL COUNCIL MEETING HELD February 21, 2017

This **SPECIAL** Council Meeting was called to order by President of Council Matthew A. Trafis at 8:04 p.m. with the Pledge of Allegiance.

ROLL CALL

Present and accounted for were Mayor Dell'Aquila, Director of Law Pignatiello, Councilman-at-Large Bicker, Councilman-at-Large Trafis, Ward 1 Councilman Biasiotta, Ward 2 Councilman Fraundorf, Ward 3 Councilman Kukral, Ward 4 Councilman Petro, and Director of Public Service and Properties Lovece. Absentees were Councilman-at-Large Kraynak and Building Commissioner Moro.

MOTION by Mr. Trafis, seconded by Mr. Fraundorf, to excuse the absence of Councilman-at-Large Kraynak from tonight's meeting.

Council President Trafis stated:

"Before we continue, Councilman-at-Large Kraynak has a commitment on Tuesday evenings. We regularly have our meetings on Mondays; therefore, I would like to make a motion to excuse his absence."

Roll Call: all yea

MOTION CARRIED

Councilman-at-Large Kraynak has been excused from this evening's Special Council Meeting.

MOTION TO AMEND AGENDA

MOTION by Mr. Trafis, seconded Mr. Fraundorf, to amend the Agenda, to allow for Director Commentary in Section B-1.

Roll Call: all yea

MOTION CARRIED

REPORT FROM ASSISTANT LAW DIRECTOR DICHIRO

Assistant Law Director DiChiro gave the following report:

"Thank you, Mr. President -- Council and Mayor. It seems we have residents.... there are allegations that Council and I have violated the Open Meetings Act by having a closed-door meeting. That is not true. Be advised, as Assistant Law Director and Prosecutor, I am legal counsel for the Mayor and Council. As such, I may advise Council and the Mayor on legal matters and tender legal advice at any time when issues arise. The rendering of legal advice is not subject to the Open Meetings Act and is protected by the Attorney-Client privilege. Thank you."

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OPEN TO THE AUDIENCE ON LEGISLATION ONLY

Tom Jaros 224 Crescent Ridge Drive stated:

“I assume we’re supposed to know that you’re talking about the issue to make the Mayor full-time. All I have to say is that I voted for you guys because your platform was ‘must have expenditures’. Nobody has shown any reason why an extra \$70,000.00 you’re talking about spending is a ‘must have’ and very disappointing. A number of us aren’t going to vote for it. The overwhelming social media response is that they don’t want a full-time Mayor. You guys are going to go ahead on what you’re going to do, just like you did with rezoning the John Glenn property in Ward 1. There are a number of people that are already set up to go ahead and oppose that, just like the rezoning. Councilman Trafis offering us the opportunity to convince him not to put this on -- there is something backwards about that relationship. You’re supposed to be our representative – we’re not supposed to have to convince you of what you shouldn’t do. Nobody has polled us. Thank you.”

Council President Trafis replied:

“I will just state, as we had previously discussed, in our previous meeting, that all Elected Officials have been advised by our Law Department to not communicate with Mr. Jaros due to actions he has taken as a Planning Commission Member, which has put the City at risk. I will leave it at that.”

Bob Wrobel, 975 Winchester Oval stated:

“I want to comment and second something that Tom said. As public servants, you serve the public and I would like to reinforce that. It’s not up to us to convince you on items that you brought up. If it’s something that comes from us, then it’s up to us to convince you that you should make some legislation or some other action. The other thing is I get the feeling that Ordinance No. 24-2017 and Ordinance No. 25-2017 are kind of being hurried along. The more important to me is Ordinance No. 24-2017. This is something that is a rather major change and to have it suddenly appear, as an Agenda item, with a limited amount of time. First, to discuss among yourselves whether it should be on your agenda -- I think that’s what a committee meeting is for. Secondly, to have enough time for discussion as to whether or not the legislation should be passed. And the third thing, discussion is on its merit itself. You know when the May Primary is, you know what the deadline is, certainly you could have backed up from that to allow more time. Now, you have to have a Special Council Meeting so we can get three readings in and something is just not right about that. It looks like somebody’s agenda is taking precedence here -- with an idea that more limited time we have to look at this thing, the easier it’s going to get passed. I know it’s not on the ballot yet, but I think that’s a given. Thank you.”

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Council President Trafis replied:

“I want to mention, that in regard to something you just said about this Special Meeting, and along with a comment, that I have been informed about on an anonymous Facebook page called Seven Hills Views.”

Council President Trafis read the statement posted on the Facebook site *Seven Hills Views* as follows:

“A Special Council Meeting at 7:30 p.m. for second reading of the Ordinance to put the full-time Mayor issue on the main ballot and third reading will be on Monday, February 27th. Tomorrow’s Special Council Meeting is necessary, in order for this issues supporters to meet the deadline to get it on the ballot.”

Council President Trafis responded:

“That’s not correct -- that is absolutely not true. Whoever Mr. or Mrs. Anonymous is, let’s get your facts straight, because this or any Charter Amendment does not need three readings.....it could have been passed on the first reading. The sole purpose of this Special Meeting tonight is to allow dialog from our residents and input from our residents. We work very hard to be transparent. This is another example of how we are allowing more meetings and more dialog about this subject. Is there a deadline for the Board of Elections? Yes, it is coming up, but this is a subject that has been talked about many, many times. As a matter of fact, I see some people in this audience who were in a Caucus meeting in December. We talked about this for nearly an hour -- other people weren’t at that meeting. I know everybody on Council can back that up. The Mayor was sick that evening, I remember that as well. This is nothing new, and as far as not listening to our residents, we get calls, emails, and people running into us at places and there are plenty of other opinions, it’s not just a select group of people that come to every meeting, telling us what we should or shouldn’t do. We are listening to more people than just half a dozen. This has been a topic that has been around for 20 years. To say that we are rushing something through, is absurd.”

ORDINANCES AND RESOLUTIONS

Ordinance No. 24-2017 – AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SEVEN HILLS, OHIO, A CERTAIN CHARTER AMENDMENT PURSUANT TO ARTICLE X OF THE CHARTER OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF AMENDING ARTICLE IV, THE MAYOR, SECTION 1, TERM, PROPOSING THAT THE OFFICE OF MAYOR/SAFETY DIRECTOR BE A FULL-TIME POSITION.

Ordinance No. 24-2017 was read by full title only for its second reading.

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Ordinance No. 25-2017 – AN ORDINANCE PROVIDING FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SEVEN HILLS, OHIO, A CERTAIN CHARTER AMENDMENT PURSUANT TO ARTICLE X OF THE CHARTER OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PUPOSE OF AMENDING ARTICLE V, ADMINISTRATIVE DEPARTMENTS, BOARDS AND COMMISSIONS, BY CREATING A NEW SECTION 10, FINANCIAL ADVISORY BOARD.

Ordinance No. 25-2017 was read by full title only for its second reading.

OPEN TO THE AUDIENCE

Tom Jaros, 224 Crescent Ridge Drive stated:

“I would like to see copies of the emails that residents have sent to anybody on Council requesting a full-time Mayor. Those should be public record and according to Councilman Trafis, they exist. So, this is a public document request, right here. I would like to see those emails, please from anybody that got them, thank you very much.”

Council President Trafis replied:

“I will repeat that all Elected Officials have been advised by our Law Department to not communicate with Mr. Jaros due to actions he has taken as a Planning Commission Member, which has put the City at risk.”

Ron Grahek, 1172 John Glenn Drive stated:

“I’d like to see the emails that were sent to the people or that we were notified -- I have none. I polled a lot of my neighbors, they are strictly against it, 100%. I didn’t find one neighbor that was in favor of a full-time Mayor.”

Bob Wrobel, 975 Winchester Oval stated:

“Entirely different subject, just want to thank the Parks Committee for the work that they are doing -- explanations of and rationale for what you’re doing. I think you’re on the right path and thanks again. There are some things that I would like to see. I am sure there are a lot of things that you know that others would like to do. We’ve got to start somewhere -- this looks like a good start. But, please don’t forget about the Parks.

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Bob Leech, 5739 Rockhaven Drive stated:

“I want to thank everybody for their very hard work getting the issues passed the last election. You guys have done a great job for the benefit of the City. More importantly, you got the budget back to where it should be, and that was an enormous job, a lot of cooperation by a lot of people. Mayor, I give you a lot of credit for hanging in there as such, but your input is important and always will be. What you guys did was tremendous and I want to thank you for that.”

Mr. Leech continued:

“You haven’t heard from me in a while, I have been playing hardball in Florida -- not bad for a 71-year-old guy. There is a guy called George Chandick that in the third grade got me involved with things. Only Matt probably here knows the relationship George has had with me over all these years. This is a tribute to George and I thank you, everybody, for putting that on the front page. He is worth any tributes that we give him. In the third grade, he saw a little shy kid and he worked with him and that kid became a pretty decent athlete. I have spent the last 65 years in sports and recreation -- it’s because of him. He inspired a lot of us down there who were very poor kids by the way. He was my mentor all those years and I was very fortunate to be able to be elected the same day with him, January 1, 1980. Working with him as a councilman, as Mayor, he was a wonderful, wonderful man. A lot of you guys have aspirations and abilities to become like George. I encourage you to follow his image as he was, a good man he was, a solid individual. It’s a big loss to the City and more importantly for all those who were students, way back when at Tremont School, where he was teacher for 38 years, he was the kind of person you wanted to have as your teacher, mentor, as your Mayor. He helped us with Home Days, a Basketball League, Soccer League, and just a wonderful man. A tribute to him is necessary, can’t forget people like him. I am rattling away but it’s worth it.”

Mr. Leech added:

“As a former parliamentarian, regarding Agenda, you might note that ‘Open to the Audience’ and such other business, for a special meeting is not allowed.”

Council President Trafis replied:

“We actually passed an Ordinance or Resolution saying that every public meeting must have public comment -- and again this is another way we have tried to open it up for our residents.”

Mr. Leech concluded:

“Okay, that’s good, because residents should have input. But according to Parliament procedures, you don’t have that. Good point.”

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OTHER BUSINESS

Mayor Dell'Aquila had no miscellaneous comments.

Law Director Pignatiello had no miscellaneous comments.

Assistant Law Director DiChiro had no miscellaneous comments.

Director of Public of Public Service and Properties Lovece had no miscellaneous comments.

Mr. Biasiotta had no miscellaneous comments.

Mr. Bicker had no miscellaneous comments.

Mr. Kukral had no miscellaneous comments.

Mr. Petro had no miscellaneous comments.

Mr. Fraundorf:

It's nice to see people in the audience. I have heard a lot of -- second hand -- background conversations, and I will echo what Councilman Trafis said -- that this Council is doing its best to open up the channels of communication with our residents. If any of you had participated or sat in on any Council meetings in years past, you would have seen one, maybe two people in the audience -- and quite frankly, questions and commentary were discouraged back then. It's a healthy society that vets the issues and there is no right or wrong in that, it makes for a very healthy community, I believe.

In closing, I would like to say, many of the people that have expressed their dislike for a full-time Mayor. I wished they would have come to Council and told us that, it would have been very good to hear that. It is an opportunity for residents to express their opinions. Everyone that's here and watching, I thank you.

Council President Trafis:

I would like to rephrase a word that I previously used to something I said. We were talking about this Special Meeting and said we were calling this to 'allow' for public comment. I am going to rephrase that and say we are "encouraging" public comment. I am doing that because it's actually comical, but every word is scrutinized and the way Facebook is it's hilarious (put that on the record).

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MOTION by Mr. Trafis, seconded by Mr. Bicker, to adjourn the meeting.
Roll Call: all yea **MOTION CARRIED**

The February 21, 2017 Special Council Meeting was adjourned at 8:25 p.m.

Matthew A. Trafis, President of Council

Attest: _____
Carol L. Sekerak, Clerk of Council

Date: _____

Transcribed 3/10/17
Lisa Plisko, Council Assistant
(Edited C. Sekerak)