

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

This Regular Council Meeting was called to order by President of Council Anthony D. Biasiotta at 8:55 p.m. with the Pledge of Allegiance.

## **ROLL CALL**

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

## **READING AND DISPOSAL OF JOURNAL**

**MOTION** by Mr. Wrobel, seconded by Mr. Biasiotta, to amend the Minutes of the Regular Council Meeting held June 25, 2018, by correcting a typographical error found on Page 1, under Motion to Amend Agenda, to change the word 'the' found in line one of the Motion itself, to the word '**to**', so that the Motion reads, in part, "**MOTION** by Mr. Biasiotta, seconded by Ms. Stager, **to** waive the twenty-four hour delivery requirement....."

Roll Call: all yea

**MOTION CARRIED**

**MOTION** by Mr. Wrobel, seconded by Mr. Biasiotta, to accept the Minutes of the Regular Council Meeting held June 25, 2018, as amended.

Roll Call: all yea

**MOTION CARRIED**

## **CONSENT AGENDA**

**MOTION** by Ms. Stager, seconded by Ms. Kelly, to accept the Consent Agenda of July 9, 2018, as printed, if there is no division of the question.

Roll Call: all yea

**MOTION CARRIED**

## **RESOLUTIONS OF COMMENDATION**

**Resolution No. 16-2018** – A RESOLUTION OF COMMENDATION TO CHIEF OF POLICE GARY DURKIN FOR 35 YEARS OF SERVICE, CITY OF SEVEN HILLS, OHIO.

**MOTION** by Mr. Snitzky, seconded by Mr. Elliott, to read Resolution No. 16-2018 by title only for its first and final reading.

Roll Call: all yea

**MOTION CARRIED**

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

Resolution No. 16-2018 was read by full title only for its first and final reading.

**MOTION**

by Mr. Snitzky, seconded by Mr. Elliott, to adopt Resolution No. 16-2018 as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**RESOLUTION NO. 16-2018 IS DECLARED ADOPTED.**

## **REPORTS OF COMMITTEES**

### **Planning, Zoning, and Economic Development**

Planning, Zoning, and Economic Development Committee Chairman Snitzky stated that the Committee will hold its next regular meeting on Monday evening, July 16, 2018. Mr. Snitzky said that the minutes from the previous meeting (June 18, 2018) are on file with the Clerk of Council.

### **Public Works**

Public Works Committee Chairman Greenwald stated that the Committee will hold its next regular meeting on Tuesday evening, September 4, 2018. Mr. Greenwald said that the minutes from the previous meeting (July 2, 2018) are pending.

### **Community Services**

Community Services Committee Chairwoman Kelly stated that the Committee last met on Monday evening, July 2, 2018, 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 evening, September 4, 2018.

### **Police and Fire**

Police and Fire Committee Chairman Elliott stated that the Committee will hold its next regular meeting on Monday evening July 16, 2018.

### **Parks and Recreation**

Parks and Recreation Committee Chairman Wrobel stated that the Committee will also hold its next regular meeting on Monday evening, July 16, 2018.

### **Rules, Ordinances, and Ethics**

Rules, Ordinances, and Ethics Committee Chairwoman Stager stated that the Committee last met on Monday evening, July 2, 2018, and the minutes from that meeting are on file with the Clerk of Council. Ms. Stager said that the Committee will hold its next regular meeting on Tuesday evening, September 4, 2018.

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

## **Finance, Civil Service, and Personnel**

Finance, Civil Service, and Personnel Committee Chairman Biasiotta stated that the Committee last met on Monday evening, July 2, 2018. Mr. Biasiotta said that the Committee will hold its next regular meeting on Monday evening, July 16, 2018.

## **APPOINTMENTS AND CONFIRMATIONS**

There were no appointments or confirmations.

## **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. 77-2018** – AN ORDINANCE TO AMEND SECTION 1125.07, CONSTRUCTION FEE SCHEDULE, AS CONTAINED IN TITLE THREE, LOCAL BUILDING PROVISIONS, OF PART ELEVEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF MODIFYING CHAPTER 1125, PLANS, PERMIT, FEES.

**MOTION** by Mr. Snitzky, seconded by Mr. Elliott, to read Ordinance No. 77- 2018 by title only for its third and final reading.

Roll Call: all yea

**MOTION CARRIED**

Ordinance No. 77-2018 was read by full title only for its third and final reading.

**MOTION** by Mr. Snitzky, seconded by Mr. Elliott, to pass Ordinance No. 77-2018.

Roll Call: all yea

**MOTION CARRIED**

## **ORDINANCE NO. 77-2018 IS DECLARED PASSED.**

**Ordinance No. 83-2018** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH TOSHIBA BUSINESS SOLUTIONS OF AKRON, OHIO, FOR THE MAINTENANCE SERVICE AGREEMENT ON THE TOSHIBA 2330CU COPIER AND SUPPORT CONTRACT 0856070-002B USED IN THE ENGINEERING AND SERVICE DEPARTMENTS; AND APPROPRIATING A SUM NOT TO EXCEED \$948.72 FOR THE ONE-YEAR MAINTENANCE AGREEMENT.

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

**Ordinance No. 83-2018 was read by full title only for its second reading.**

**Amended Ordinance No. 84-2018** – 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 III, THE COUNCIL, SECTION 1, COMPOSITION AND TERM.

**Amended Ordinance No. 84-2018 was read by full title only for its second reading.**

**Amended Ordinance No. 85-2018** – 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 V, ADMINISTRATIVE DEPARTMENTS, BOARDS AND COMMISSIONS, SECTION 2, DIRECTOR OF LAW; TERM; VACANCY; REMOVAL; DUTIES.

**Amended Ordinance No. 85-2018 was read by full title only for its second reading.**

**Ordinance No. 86-2018** – 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 V, ADMINISTRATIVE DEPARTMENTS, BOARDS AND COMMISSIONS, SECTION 9, COMMUNITY RECREATION CENTER.

**Ordinance No. 86-2018 was read by full title only for its second reading.**

**Ordinance No. 87-2018** – 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 ADDING NEW SECTION 3, TO ARTICLE XIII, LIMITATION ON LEVYING INCOME TAX ON OTHER INCOME.

**Ordinance No. 87-2018 was read by full title only for its second reading.**

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

**Amended Ordinance No. 88-2018** – 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 XII, MISCELLANEOUS PROVISIONS, BY ADDING SECTION 10, MORAL TURPITUDE.

**Amended Ordinance No. 88-2018 was read by full title only for its second reading.**

**Ordinance No. 90-2018** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH JACK DOHENY COMPANIES OF TWINSBURG, OHIO, FOR EMERGENCY REPAIRS TO THE SERVICE DEPARTMENT VACTOR TRUCK, MODEL 2110J6P, SERIAL 10-06V-12212, WITH APPURTENANCES; APPROPRIATING AN AMOUNT NOT TO EXCEED \$44,832.29; AND DECLARING AN EMERGENCY.

**MOTION** by Ms. Kelly, seconded by Mr. Wrobel, to read Ordinance No. 90-2018 by title only for its first and final reading.

**Council President Biasiotta** stated:

“I would like to add for the record the reason for the emergency is this is our sewer truck. And having this repaired quickly gets it back out on the road providing a vital service to our residents.”

Roll Call: all yea

**MOTION CARRIED**

Ordinance No. 90-2018 was read by full title only for its first and final reading.

**MOTION** by Ms. Kelly, seconded by Mr. Wrobel, to pass Ordinance No. 90-2018 as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**ORDINANCE NO. 90-2018 IS DECLARED PASSED.**

**Ordinance No. 91-2018** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH FALLSWAY EMERGENCY EQUIPMENT COMPANY OF AKRON, OHIO, FOR MISCELLANEOUS REPAIRS TO FIRE DEPARTMENT VEHICLE MEDIC 2 (2008 Chevrolet C-4500 Horton Ambulance Vin #1GDE4V1928F417614), IN AN AMOUNT NOT TO EXCEED \$4,117.13; AND DECLARING AN EMERGENCY.

**MOTION** by Mr. Elliott, seconded by Mr. Greenwald, to read Ordinance No. 91-2018 by title only for its first and final reading.

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

**Council President Biasiotta** stated:

“The reason for the emergency is that this is our ambulance and it has an electrical short causing some functions not to operate.”

Roll Call: all yea

**MOTION CARRIED**

Ordinance No. 91-2018 was read by full title only for its first and final reading.

**MOTION**

by Mr. Elliott, seconded by Mr. Snitzky, to pass Ordinance No. 91-2018 as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**ORDINANCE NO. 91-2018 IS DECLARED PASSED.**

**MOTION**

by Mr. Biasiotta, seconded by Ms. Kelly, to amend Ordinance No. 92-2018 by deleting all references in the body and in the title to ‘postage’ being included in the \$6,150.00 expenditure.

*It was noted that postage expense will be handled separately with the U.S. Postmaster.*

Roll Call: all yea

**MOTION CARRIED**

**Amended Ordinance No. 92-2018** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH QWESTCOM GRAPHICS FOR 6,500 COPIES OF THE 2018 CITY OF SEVEN HILLS HOMEDAYS BOOKLET, INCLUDING ALL MAILING PREPARATION AND DELIVERY TO THE POST OFFICE; AUTHORIZING AN AMOUNT NOT TO EXCEED \$6,150.00 FOR SAID SERVICE; AND DECLARING AN EMERGENCY.

**MOTION**

by Mr. Biasiotta, seconded by Ms. Kelly, to read Amended Ordinance No. 92-2018 by title only for its first and final reading.

**Council President Biasiotta** stated:

“The reason for the emergency is this is the Home Days flyer and that event is coming up at the end of the month. We want to move that along.”

Roll Call: all yea

**MOTION CARRIED**

Amended Ordinance No. 92-2018 was read by full title only for its first and final reading.

**MOTION**

by Mr. Biasiotta, seconded by Ms. Kelly, to pass Amended Ordinance No. 92-2018 as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**AMENDED ORDINANCE NO. 92-2018 IS DECLARED PASSED.**

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

**Ordinance No. 93-2018** – AN ORDINANCE ENACTING NEW CHAPTER 976(B), ENTITLED ‘ELDERLY CARE WITH GENERAL RETAIL DISTRICT’, AS CONTAINED IN TITLE NINE, ZONING USE DISTRICTS, OF PART NINE, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO.

**Ordinance No. 93-2018 was read by full title only for its first reading.**

**MOTION** by Mr. Snitzky, seconded by Mr. Greenwald, to refer Ordinance No. 93-2018 to the City of Seven Hills Planning Commission for approval.  
Roll Call: all yea **MOTION CARRIED**

**Ordinance No. 93-2018 was referred to the Seven Hills Planning Commission for approval.**

**MOTION** by Ms. Kelly, seconded by Mr. Elliott, to amend Ordinance No. 94-2018 by adding the words “**and declaring emergency**” to the title, and by adding the emergency provision to Section 3.  
Roll Call: all yea **MOTION CARRIED**

**Amended Ordinance No. 94-2018** – AN ORDINANCE TO APPROPRIATE THE ADDITIONAL SUM NOT TO EXCEED \$5,500.00 PAYABLE TO UNIQUE PAVING MATERIALS, OF CLEVELAND, OHIO, FOR A CHANGE ORDER TO AMENDED ORDINANCE NO. 12-2018, PASSED BY COUNCIL ON FEBRUARY 26, 2018, WHICH AUTHORIZED AN INITIAL AMOUNT OF \$5,000.00 FOR THE PURCHASE OF UPM® MIX (COLD MIX ASPHALT) FOR THE DEPARTMENT OF PUBLIC SERVICE AND PROPERTIES FOR CITY-WIDE EMERGENCY ROAD REPAIRS FOR THE REMAINDER OF 2018; AND DECLARING AN EMERGENCY.

**MOTION** by Ms. Kelly, seconded by Mr. Elliott, to read Amended Ordinance No. 94-2018 by title only for its first and final reading.

**Council President Biasiotta** stated:

“The reason for the emergency is this is patch for our potholes, we’re running low, and we want to keep the Service Department supplied.”

Roll Call: all yea

**MOTION CARRIED**

Amended Ordinance No. 94-2018 was read by full title only for its first and final reading.

**MOTION** by Ms. Kelly, seconded by Mr. Elliott, to pass Amended Ordinance No. 94-2018 as an emergency measure.

Roll Call: all yea

**MOTION CARRIED**

**AMENDED ORDINANCE NO. 94-2018 IS DECLARED PASSED.**

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

**Ordinance No. 95-2018** – AN ORDINANCE TO AMEND SECTION 1121.03(a), COMPENSATION OF THE BUILDING COMMISSIONER, AS CONTAINED IN CHAPTER 1121, ADMINISTRATION, OF TITLE THREE, LOCAL BUILDING PROVISIONS, OF PART ELEVEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF CHANGING THE POSITION OF BUILDING COMMISSIONER FROM PART-TIME TO FULL-TIME STATUS.

**Ordinance No. 95-2018 was read by full title only for its first reading.**

**Ordinance No. 96-2018** – AN ORDINANCE TO AMEND SECTION 151.091, COMPENSATION OF EMPLOYEES GENERALLY, AS CONTAINED IN CHAPTER 151, EMPLOYEES GENERALLY, OF TITLE FIVE, ADMINISTRATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, FOR THE PURPOSE OF CHANGING THE STATUS OF THE POSITION OF BUILDING COMMISSIONER FROM PART-TIME TO FULL-TIME WITH AN INCREASE IN SALARY RANGE.

**Ordinance No. 96-2018 was read by full title only for its first reading.**

**Resolution No. 15-2018** – A RESOLUTION APPROVING THE PROPOSED ALTERNATE TAX BUDGET FOR THE CITY OF SEVEN HILLS, OHIO, FOR THE FISCAL YEAR 2019.

**MOTION** by Mr. Greenwald, seconded by Mr. Biasiotta, to read Resolution No. 15-2018 by title only for its third and final reading.

Roll Call: all yea

**MOTION CARRIED**

Resolution No. 15-2018 was read by full title only for its third and final reading.

**MOTION** by Mr. Greenwald, seconded by Ms. Stager, to adopt Resolution No. 15-2018

Roll Call: all yea

**MOTION CARRIED**

**RESOLUTION NO. 15-2018 IS DECLARED ADOPTED.**

## **COUNCIL OPEN TO THE AUDIENCE**

There were no questions or comments from the audience.



# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

---

## **REPORTS AND COMMUNICATIONS FROM THE MAYOR-SAFETY DIRECTOR**

**Mayor Dell'Aquila** had no formal report.

## **REPORTS FROM THE DIRECTORS OF DEPARTMENTS AND OTHER OFFICIALS**

**Director of Finance Herwick** had no formal report.

### **Assistant Law Director DiChiro**

Yes, Mr. President. I just wanted to say one thing.

No report, but Mr. Pignatiello (*Director of Law*) is not here tonight, because if you know, and I know you know him quite well, his mother has been in a nursing home for three years and they are moving her into hospice tomorrow. It looks like it is at the final stages. You know, no matter how much you prepare and you think you are prepared, you are never prepared. I just wish him and his family the best.

**Director of Public Service and Properties Lovece** had no formal report.

### **Engineer Collins**

Thank you, Mr. President.

Just a couple of brief updates, really quick, on the Meadview Drive and East Hill Circle water main. Cleveland Water Department approved the drawings on Friday, July 6, 2018. Today, I delivered eight sets of final plans to the City of Cleveland Water Department. We will be planning to advertise for bidding in the next week or two to get public bids on the project in hopes of getting the lowest and best bid and getting construction started on that as soon as we can.

Secondly, Hemlock Creek Sanitary Sewer Project, contractors started construction today. The material has been delivered on-site. Anxious to see – and, as you can see, notices were handed out to all the residents on Forest Overlook, Shady Lane, and Seven Hills Boulevard. A copy of that letter is also available on the City's Website under the Engineering Department. I will be continuing to update the Engineering Department's Website accordingly. Thank you.

**Council President Biasiotta** thanked Engineer Collins for the outstanding news.

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

**Building Commissioner Vittardi** had no formal report.

## **MISCELLANEOUS**

**Ms. Kelly** had no miscellaneous comments.

**Mr. Elliott** had no miscellaneous comments.

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

### **Mr. Greenwald:**

I would like to thank everybody in the audience who stayed for the full meeting. Thank you very much.

*There was laughter from the dais.*

**Council President Biasiotta** stated that he finds the audience very agreeable.

*There was further laughter from the dais.*

### **Mr. Snitzky:**

Fortunately, I have a couple of things.

I want to thank the Engineering Department for keeping on Mapleview Drive and the Hemlock Project. I am very excited about the folks on Mapleview finally getting their street repaired after all these years.

The other thing is the Farmers' Market. This Thursday, 4:00 -7:00, the Barrio Food truck is going to be there. It is one of the best food trucks in the City. Everybody should go and bring family and friends. They have to have 90 services in order to maintain food trucks at these Farmers' Markets. Plus, they have wine. So, you get to have your Mexican food with wine.

Thank you very much.

**Council President Biasiotta** added that a little wine never hurt anyone.

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

**Mr. Wrobel** had no miscellaneous comments.

**Council President Biasiotta:**

I am going to take care of some quick business here.

**MOTION** by Mr. Biasiotta, seconded by Ms. Kelly, to authorize 5.75 additional hours for the Part-time Typist to Council for the two-week pay period ending July 7, 2018.  
**Council President Biasiotta** stated:

“These hours exceed the forty hours in the pay period that are in accordance with Section 151.091 of the Codified Ordinances. The 5.75 hours were necessary. We had a Public Hearing, Special Meeting and a Regular Council Meeting, and these additional hours allowed us to publish our minutes in a timely manner.

Roll Call: all yea

**MOTION CARRIED**

**Council President Biasiotta** continued:

I want to send my prayers to Richard Pignatiello, our Law Director. As stated by Pat DiChiro, his mother moved into hospice.

And, on a happier note, I would like to extend congratulations to Councilwoman Stager on her recent marriage.

*There was a hearty round of applause from everyone on the dais in acknowledgement and recognition of Councilwoman Stager's happy occasion.*

**Ms. Stager** thanked everyone.

# City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD July 9, 2018

---

**MOTION** by Mr. Biasiotta, seconded by Ms. Stager, to adjourn the meeting.  
Roll Call: all yea **MOTION CARRIED**

**The July 9, 2018 Regular Council Meeting was adjourned at 9:25 p.m.**

\_\_\_\_\_  
Anthony D. Biasiotta, President of Council

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

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

Transcribed 7/17/18  
Lisa Plisko, Council Assistant  
(Edited C. Sekerak)