This *SPECIAL* Council Meeting was called to order by Council President Anthony D. Biasiotta at 9:36 p.m. with the Pledge of Allegiance.

**ROLL CALL**

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

**Motion to Excuse Absences**

**MOTION** by Mr. Biasiotta, seconded by Mr. Elliott, to excuse the absence of Councilwoman-at-Large Stager from tonight’s Special Council Meeting.
Roll Call: all yea  **MOTION CARRIED**

**MOTION** by Mr. Biasiotta, seconded by Mr. Greenwald, to excuse the absence of Building Commissioner Vittardi from tonight’s Special Council Meeting.
Roll Call: all yea  **MOTION CARRIED**

**Motion to Amend the Agenda**

**MOTION** by Mr. Biasiotta, seconded by Ms. Kelly, to amend the Agenda for this evening by adding a Subsection F-A, Appointments and Confirmations, immediately following Ordinances and Resolutions.
Roll Call: all yea  **MOTION CARRIED**

**CONSENT AGENDA**

**MOTION** by Mr. Wrobel, seconded by Mr. Snitzky, to accept the Consent Agenda of August 6, 2018, as printed, if there is no division of the question.
Roll Call: all yea  **MOTION CARRIED**
PLANNING COMMISSION REFERRALS

Planning Commission Decision of July 11, 2018 in approving the proposed structural modification of the telecommunication facility located at 5741 Rockhaven Drive requested by applicant Crown Castle on behalf of T-Mobile, project Sprint/North Park.

MOTION by Mr. Wrobel, seconded by Mr. Snitzky, to concur with the findings of the Planning Commission of July 11, 2018, in approving the proposed structural modification of the telecommunication facility located at 5741 Rockhaven Drive requested by applicant Crown Castle on behalf of T-Mobile, project Sprint/North Park.

Roll Call: all yea

MOTION CARRIED

Council concurs with the Planning Commission Decision of July 11, 2018 in approving the proposed structural modification of the telecommunication facility located at 5741 Rockhaven Drive.

Planning Commission Decision of July 11, 2018 in approving the rezoning of Permanent Parcel Nos. 552-17-009, -011, -057, and -058 from Broadview Road Development District, Parcel 3, with guidelines for use found in Chapter 976 to proposed Elderly Care with General Retail District, with guidelines for use found in proposed Chapter 976(B), as requested by applicant Fred Margulies and owner Steven Gale.

MOTION by Mr. Greenwald, seconded by Mr. Snitzky, to concur with the findings of the Planning Commission of July 11, 2018, in approving the rezoning of Permanent Parcel Nos. 552-17-009, -011, -057, and -058 from Broadview Road Development District, Parcel 3, to proposed Elderly Care with General Retail District.

Mr. Greenwald stated:

"We had the Public Meeting earlier tonight. I think the residents of the area, and generally Ward 4, have made it very clear to this Council that they do not wish this change be made. And, as a Representative of Ward 4, I plan to vote against it and I urge you all too."

Council President Biasiotta reminded Council that all motions are to be made in the affirmative.

Roll Call: all nay

MOTION DEFEATED
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Council denies the Planning Commission Decision of July 11, 2018 in approving the rezoning of Permanent Parcel Nos. 552-17-009, -011, -057, and -058 from Broadview Road Development District, Parcel 3, to proposed Elderly Care with General Retail District -- Motion has been defeated.


MOTION by Ms. Kelly, seconded by Mr. Elliott, to concur with the findings of the Planning Commission of July 11, 2018, in approving Ordinance No. 76-2018, a proposed amendment to Section 911.002, Procedure and Filing without Plat Requirement; fee.
Roll Call: all yea

MOTION CARRIED

Council concurs with the Planning Commission Decision of July 11, 2018 in approving Ordinance No. 76-2018, a proposed amendment to Section 911.002 of the Codified Ordinances, Procedure and Filing without Plat Requirement; Fee.

Planning Commission Decision of July 11, 2018 in approving Ordinance No. 93-2018, with recommendations, enacting proposed new Chapter 976(B) to the Codified Ordinances, Elderly Care with General Retail District, referred by City Council on July 11, 2018.

MOTION by Mr. Greenwald, seconded by Mr. Elliott, to table this matter going forward. Council President Biasiotta commented that further revisions regarding the subject zoning ordinance will be considered.
Roll Call: all yea

MOTION CARRIED

Ordinance No. 93-2018 and the Planning Commission Decision of July 11, 2018 in approving Ordinance No. 93-2018, with recommendations, was tabled.

Planning Commission Decision of July 18, 2018 in approving Ordinance No. 98-2018, for the submission to the electors of the City of Seven Hills for the proposed revision of the Zoning Map by changing the zoning in certain areas East of Broadview Road and generally in an area North of Ridgeview and South of Civic Drive, from Broadview Road Development District, Parcel 3, with guidelines for use found in Chapter 976, to Elderly Care with General Retail District, with guidelines for use found in Chapter 976(B) of the Codified Ordinances, referred by City Council on July 11, 2018.
MOTION by Mr. Greenwald, seconded by Mr. Elliott, to concur with the findings of the Planning Commission of July 18, 2018, in approving Ordinance No. 98-2018, a submission to the electors for the proposed rezoning of certain parcels to Elderly Care District with General Retail.

Mr. Greenwald stated:
“Once again this is related to the subject that we had the Public Meeting tonight. I plan to oppose this and I hope the rest of the Council does as well. And, once again, all motions are made in the affirmative.”

Roll Call: all nay

MOTION DEFEATED

Council denies the Planning Commission Decision of July 18, 2018 in approving Ordinance No. 98-2018, for the submission to the electors of the City of Seven Hills the proposed revision of the Zoning Map by changing the zoning in certain areas East of Broadview Road and generally in an area North of Ridgeview and South of Civic Drive, from Broadview Road Development District, Parcel 3, with guidelines for use found in Chapter 976, to Elderly Care with General Retail District, with guidelines for use found in Chapter 976(B) of the Codified Ordinances. Motion has been defeated.

At this point of the meeting, 9:46 p.m., Mayor Dell’Aquila left the dais and exited Council Chambers for Planning Commission Referral Agenda item Floor Motion Number 6 and Planning Commission Referral Agenda item Floor Motion Number 7.


MOTION by Ms. Kelly, seconded by Mr. Elliott, to concur with the findings of the Planning Commission of July 18, 2018, in approving Ordinance No. 99-2018, enacting proposed new Chapter 969(A) to the Codified Ordinances, General Retail Business District with Accessory Use.

Roll Call: all yea

MOTION CARRIED

Council concurs with the Planning Commission Decision of July 18, 2018 in approving Ordinance No. 99-2018, enacting new Chapter 969(A) to the Codified Ordinances, General Retail Business District with Accessory Use.
Planning Commission Decision of July 18, 2018 in approving Ordinance No. 100-2018, for the submission to the electors of the City of Seven Hills for the proposed revision of the Zoning Map by changing the zoning in certain areas East of Broadview Road, North of Orchardview Avenue, South of Village Drive, and West of Valleywood Park, from General Retail Business District to General Retail Business District with Accessory Use, with guidelines for use found in Chapter 969(A) of the Codified Ordinances, referred by City Council on July 11, 2018.

MOTION by Mr. Elliott, seconded by Mr. Wrobel, to concur with the findings of the Planning Commission of July 18, 2018, in approving Ordinance No. 100-2018, a submission to the electors for the proposed rezoning of certain areas to General Retail Business District with Accessory Use.
Roll Call: all yea

MOTION CARRIED

Council concurs with the Planning Commission Decision of July 18, 2018 in approving Ordinance No. 100-2018, for the submission to the electors of the City of Seven Hills for the proposed revision of the Zoning Map by changing the zoning in certain areas East of Broadview Road, North of Orchardview Avenue, South of Village Drive, and West of Valleywood Park, from General Retail Business District to General Retail Business District with Accessory Use, with guidelines for use found in Chapter 969(A) of the Codified Ordinances.

Mayor Dell’Aquila returned to Council Chambers and took his seat on the dais at 9:49 p.m.

OPEN TO THE AUDIENCE ON LEGISLATION ONLY

There were no questions or comments from the audience.

ORDINANCES AND RESOLUTIONS

Amended Ordinance No. 46-2017 – AN ORDINANCE TO AMEND SUBSECTION 997.04(f), PROHIBITED FENCES, AS CONTAINED IN CHAPTER 997, FENCES, OF TITLE ELEVEN, PROVISIONS AFFECTING USE, STRUCTURE, AND AREA, OF PART NINE, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF REVISION SNOW FENCE REGULATIONS.

MOTION by Ms. Kelly, seconded by Mr. Greenwald, to read Amended Ordinance No. 46-2017 by title only for its third and final reading.
Roll Call: all yea

MOTION CARRIED
Amended Ordinance No. 46-2017 was read by full title only for its third and final reading.

**MOTION**
by Ms. Kelly, seconded by Mr. Greenwald, to pass Ordinance No. 46-2017.

**Council President Biasiotta** stated that this legislation was left over from the prior term. Council President Biasiotta said that, after consideration, Council agreed that the ordinance contained a too-limiting time frame for snow fences. 
Roll Call: all nay

**MOTION DEFEATED**

**AMENDED ORDINANCE NO. 46-2017 IS DECLARED DEFEATED.**

**Amended Ordinance No. 65-2018** – AN ORDINANCE ENACTING NEW CHAPTER 149 ENTITLED “PROTECTING PRIVACY”, AS CONTAINED IN TITLE FIVE, ADMINISTRATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO.

**MOTION**
by Mr. Wrobel, seconded by Mr. Elliott, to table Amended Ordinance No. 65-2018 indefinitely.
Roll Call: all yea

**MOTION CARRIED**

Amended Ordinance No. 65-2018 was tabled.

**Ordinance No. 76-2018** – AN ORDINANCE TO AMEND SECTION 911.002, PROCEDURE AND FILING WITHOUT PLAT REQUIREMENT; FEE, AS CONTAINED IN CHAPTER 911, ACCEPTANCE AND DEDICATION OF SUBDIVISIONS GENERALLY, OF TITLE THREE, PLATS AND PLATTING, OF PART NINE, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO.

**MOTION**
by Mr. Snitzky, seconded by Ms. Kelly, to read Ordinance No. 76-2018 by title only for its third and final reading.
Roll Call: all yea

Ordinance No. 76-2018 was read by full title only for its third and final reading.

**MOTION CARRIED**

**MOTION**
by Mr. Snitzky, seconded by Ms. Kelly, to pass Ordinance No. 76-2018.
Roll Call: all yea

**MOTION CARRIED**

**ORDINANCE NO. 76-2018 IS DECLARED PASSED.**

**Amended 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.
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MOTION by Mr. Greenwald, seconded by Mr. Snitzky, to table Amended Ordinance No. 93-2018.
Roll Call: all yea

MOTION CARRIED

Amended Ordinance No. 93-2018 was tabled.

Ordinance No. 98-2018 – AN ORDINANCE TO PROVIDE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SEVEN HILLS A PROPOSED REVISION TO THE ZONING MAP OF THE CITY OF SEVEN HILLS BY CHANGING THE ZONING IN CERTAIN AREAS EAST OF BROADVIEW ROAD AND GENERALLY IN AN AREA NORTH OF RIDGEVIEW AND SOUTH OF CIVIC DRIVE (specifically Permanent Parcel Numbers 552-17-009, 552-17-011, 552-17-057 and 552-17-058) FROM BROADVIEW ROAD DEVELOPMENT DISTRICT, PARCEL 3, WITH GUIDELINES FOR USE FOUND IN CHAPTER 976, TO ELDERLY CARE WITH GENERAL RETAIL DISTRICT WITH GUIDELINES FOR USE FOUND IN CHAPTER 976(B) OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS.

MOTION by Mr. Greenwald, seconded by Mr. Elliott, to read Ordinance No. 98-2018 by title only for its third and final reading.

Council President Biasiotta stated:
“I would just like to add that we had a Public Hearing tonight. The room was……we had to open up extra doors to accommodate the crowd. It was the overwhelming opinion of those present -- and for various reasons -- that this should not be put on the ballot. And, that we need to explore tighter zoning regulations and potential other uses. So, based on resident feedback, I will be voting ‘no’ on including Ordinance No. 98-2018 on the November ballot.”

Mr. Greenwald stated:
“Once again, I have discussed this before. It has become very obvious that the residents of my Ward are vehemently against this proposal. I would encourage everyone to vote ‘no’ as well.”

Roll Call: all yea

MOTION CARRIED

Ordinance No. 98-2018 was read by full title only for its third and final reading.

MOTION by Mr. Greenwald, seconded by Mr. Elliott, to pass Ordinance No. 98-2018.
Roll Call: all nay

MOTION DEFEATED

ORDINANCE NO. 98-2018 IS DECLARED DEFEATED.
At this point of the meeting, 9:56 p.m., Mayor Dell’Aquila left the dais and exited Council Chambers. Mayor Dell’Aquila has recused himself from Ordinance No. 99-2018 and Ordinance No. 100-2018.

MOTION by Mr. Biasiotta, seconded by Ms. Kelly to amend Ordinance No. 99-2018 by revising Section 969(A).03, Height and Area Regulations and Off-Street Parking Requirements, contained on Page 2, to read as follows:

“Height and area regulations and off-street parking requirements applicable to local and general retail business district are contained in Chapter 970.”

Roll Call: all yea

MOTION CARRIED


MOTION by Mr. Biasiotta, seconded by Ms. Kelly, to read Amended Ordinance No. 99-2018 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Amended Ordinance No. 99-2018 was read by full title only for its third and final reading.

MOTION by Mr. Biasiotta, seconded by Ms. Kelly, to pass Amended Ordinance No. 99-2018.

Roll Call: all yea

MOTION CARRIED

AMENDED ORDINANCE NO. 99-2018 IS DECLARED PASSED.

Ordinance No. 100-2018 — AN ORDINANCE TO PROVIDE FOR THE SUBMISSION TO THE ELECTORS OF THE CITY OF SEVEN HILLS A PROPOSED REVISION TO THE ZONING MAP OF THE CITY OF SEVEN HILLS BY CHANGING THE ZONING IN A CERTAIN AREA EAST OF BROADVIEW ROAD, NORTH OF ORCHARDVIEW AVENUE, SOUTH OF VILLAGE DRIVE, AND WEST OF VALLEYWOOD PARK (specifically Permanent Parcel Number 552-23-008) FROM GENERAL RETAIL BUSINESS DISTRICT TO GENERAL RETAIL BUSINESS DISTRICT WITH ACCESSORY USE WITH GUIDELINES FOR USE FOUND IN CHAPTER 969(A) OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS.

MOTION by Mr. Biasiotta, seconded by Mr. Elliott, to read Ordinance No. 100-2018 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED
Ordinance No. 100-2018 was read by full title only for its third and final reading.

**MOTION**
by Mr. Biasiotta, seconded by Mr. Elliott, to pass Ordinance No. 100-2018.  
Roll Call: all yea  
**MOTION CARRIED**

**ORDINANCE NO. 100-2018 IS DECLARED PASSED.**

Mayor Dell'Aquila returned to Council Chambers and took his seat on the dais at 10:00 p.m.

**Ordinance No. 108-2018** -- AN ORDINANCE TO APPROPRIATE A SUM NOT TO EXCEED $28,060.00 FOR THE PURCHASE OF ONE (1) 2019 FORD UTILITY INTERCEPTOR, WITH APPURTENANCES, FOR USE BY THE CITY OF SEVEN HILLS POLICE DEPARTMENT, SAID PURCHASE TO BE MADE FROM LEBANON FORD THROUGH THE OHIO DEPARTMENT OF ADMINISTRATIVE SERVICES OFFICE OF STATE PURCHASING CONTRACT (STATE CONTRACT NO. RS900718); AND DECLARING AN EMERGENCY.

**MOTION**  
by Mr. Elliott, seconded by Ms. Kelly, to read Ordinance No. 108-2018 by title only for its first and final reading.

**Mayor Dell'Aquila** stated:

"I would like to thank Council for considering this matter on an emergency vote. As we previously indicated, the type of vehicle that is being planned here to be purchased will no longer be available next year. There are only a certain number that Ford is going to be building in the coming year. The idea of acquiring -- getting on the list this year so we can acquire it next year -- is so that we can interchange existing accessory equipment on one of the vehicles that will be taken out of service next year without incurring that additional expense. So, that being the basis for the emergency. We very much appreciate that Council will be considering this vote on that basis this evening."

Roll Call: all yea  
**MOTION CARRIED**

Ordinance No. 108-2018 was read by full title only for its first and final reading.

**MOTION**  
by Mr. Elliott, seconded by Ms. Kelly, to pass Ordinance No. 108-2018 as an emergency measure.

**Council President Biasiotta** stated:

"Just to reiterate, the reason for the emergency is to get to place our order as this package is being discontinued. Well, the Mayor has already said that."
Council President Biasiotta continued:
“But, I want to mention from a budgetary standpoint that we will take delivery of this vehicle in 2019, probably in the middle of the year. And as such, this has no impact to the 2018 budget. It will be part of the 2019 budget, and we are already preliminarily working on that. This purchase is included in preliminary high-level forecast in management discussions.”
Roll Call: all yea
MOTION CARRIED

ORDINANCE NO. 108-2018 IS DECLARED PASSED.

MOTION by Mr. Wrobel, seconded by Mr. Biasiotta, to amend Ordinance No. 109-2018 by removing the emergency clause in the title and in the body of the Ordinance, and reverting the Ordinance to its first reading.
Roll Call: all yea
MOTION CARRIED

Amended Ordinance No. 109-2018 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH HALL PUBLIC SAFETY UPFITTERS, OF TWINSBURG, OHIO, FOR THE PURPOSE OF OUTFITTING THE CITY OF SEVEN HILLS POLICE DEPARTMENT’S NEW 2019 FORD UTILITY INTERCEPTOR POLICE VEHICLE WITH EQUIPMENT AND APPURTENANCES; AND APPROPRIATING THE SUM NOT TO EXCEED $9,436.35 FOR SAID PURCHASE AND SERVICES.

Amended Ordinance No. 109-2018 was read by full title only for its first reading.

Ordinance No. 110-2018 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH G & B ELECTRIC COMPANY OF BRECKSVILLE, OHIO, FOR THE PURPOSE OF PURCHASING NEW LED FIXTURES AND LAMPS, WITH APPURTENANCES, FOR THE CITY OF SEVEN HILLS COMMUNITY RECREATION CENTER POOL AREA; APPROPRIATING THE SUM NOT TO EXCEED $11,200.00 FOR SAID PURCHASE; AND DECLARING AN EMERGENCY.
MOTION by Mr. Elliott, seconded by Ms. Kelly, to read Ordinance No. 110-2018 by title only for its first and final reading.
Roll Call: all yea
MOTION CARRIED
Ordinance No. 110-2018 was read by full title only for its first and final reading.

MOTION by Mr. Elliott, seconded by Mr. Greenwald, to pass Ordinance No. 110-2018 as an emergency measure.
Mr. Snitzky stated:

"I'd just like to say that the reason that we're doing this on an emergency, is so that these LED lights will be available for installation when the pool is shut down for its regularly scheduled shut down period. These LED's are going to save us a ton of money. They are going to pay for themselves. I think it was said in FIVE years. So, it's very prudent to do this and prudent to do it on an emergency basis.

Mr. Snitzky added:

"I would also like to note that in a previous Ordinance (referring to Amended Ordinance No. 109-2018) we removed the emergency basis because the appurtenances will not be required for the police car for a while. So, we use emergencies judiciously when we have to. There will be a few of them coming up here, and will more than likely be thoroughly explained as we go through them. Thank you."
Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 110-2018 IS DECLARED PASSED.

Council President Biasiotta stated, "I would like to state for the record that this is being introduced by Mayor Dell'Aquila and all of Council."

Ordinance No. 111-2018 – 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 AMENDING THE COMPENSATION FOR THE DIRECTOR OF COMMUNITY SERVICES; AND DECLARING AN EMERGENCY.

MOTION by Mr. Elliott, seconded by Ms. Kelly, to read Ordinance No. 111-2018 by title only for its first and final reading.
Roll Call: all yea

MOTION CARRIED
Ordinance No. 111-2018 was read by full title only for its first and final reading.

MOTION by Mr. Elliott, seconded by Ms. Kelly, to pass Ordinance No. 111-2018 as an emergency measure.

Mr. Elliott stated:

"First of all, I believe everyone knows Tony Terry is our Community Service Representative. He puts in more hours than probably anyone I have seen, for very little."
Mr. Elliott continued:

“A lot of people don’t know that when Tony leaves here, he goes home, and if he gets a phone call from a resident of Seven Hills he is at their house within minutes. I think this is long overdue to move the bar up. God forbid something happens to Tony down the road, we have a higher bar to set. It’s been a long time coming, and I hope everyone understands his position more than just a Community Service guy. He does a lot more than what his job entails.”

Council President Biasiotta stated:

“I would like to comment on this as well. Yes, our Director does a great job -- an asset to the City. But, that was not a factor in my analysis leading up to this role. Two things -- one was budgetary concerns. There were a number of positions that were requested for a range for salary increases earlier in the year. Speaking on behalf of Council, they were similarly denied from the budget. What I wanted to see is a certain budget assumption play themselves out over the year and be conservative and very judicious with any kind of increase salary spending.”

Council President Biasiotta continued:

“So, here we are in August heading into September, and the major budget concern that I wanted to address was the completion of the sale of public property on Rockside Road. That sale is completed now. The money is transferred and construction is beginning on the smaller parcel. It started last week. So, the 2018 budget has been stabilized. In addition, more money from at least this project can reasonably be expected in 2019.”

Council President Biasiotta continued:

“So, the budget can accommodate, and does accommodate this, and a few other changes we are going to make in the salary ranges today. It would be foolish to assume that the raise is going to be to the maximum. As we have done with other decisions, with significant amount of due diligence, not for the person in the role, but the position, what it pays in other cities and what vital function they are.”

Council President Biasiotta continued:

“I will just share some data. It is hard to find an exact replica of what our Community Service Director brings to the City. But, an Administrative Assistant, based upon our salary survey of 88 Cities, the average salary for an Administrative Assistant is $51,534.00. This salary range is below that, the maximum. That maximum should suffice the situation for a few years to come.”
Council President Biasiotta concluded:

"So, while it may seem like a large range, our Director is at par with our Administrative Assistant, loosely speaking. And, the entire range for this position is below the average of Statewide Municipalities for that of an Administrative Assistant -- let alone that of a Community Services Director. It's well warranted but is still very conservative and budget friendly when looking at the data."

Mr. Greenwald stated:

"I said this earlier in Caucus, and I will say it again. I recall last summer before I was on Council sitting at a meeting looking at a similar provision of this and it was passed on an emergency, wondering what it was that Council was doing? Why they felt that this was such an emergency? I think in the entire context of the situation, with all of these Ordinances regarding pay ranges. First off, I think that these things are not as you stated, not immediate raises to the maximum level. Secondarily, that most of these people have their salaries cut over the last three or four years because the City was facing financial emergency."

Mr. Greenwald concluded:

"The reason that we have it on emergency -- the reason we have it on tonight from what I understand -- is because certain things that we were uncertain about in the budget became certain. And, this is the first opportunity we have to implement these changes which are long overdue."

Mr. Wrobel stated:

"I just want to reiterate for the record that we are changing the salary range. This allows for things like merit increases, and may not necessarily take somebody right to the top, right off the bat."

Roll Call: all yea

**MOTION CARRIED**

**ORDINANCE NO. 111-2018 IS DECLARED PASSED.**

Council President Biasiotta stated, "I would like to state for the record that this is being introduced by Mayor Dell’Aquila and all of Council."

**MOTION**

by Mr. Biasiotta, seconded by Mr. Elliott, to amend Ordinance No. 112-2018 to include the word ‘Deputy’ in the title and the body of the Ordinance so it reads ‘Part-Time Deputy Finance Director’ throughout.

Mr. Elliott stated this correction is a typo or an omission to the legislation.

Roll Call: all yea

**MOTION CARRIED**
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Amended Ordinance No. 112-2018 – 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 AMENDING THE COMPENSATION FOR THE PART-TIME DEPUTY FINANCE DIRECTOR; AND DECLARING AN EMERGENCY.

MOTION by Mr. Wrobel, seconded by Mr. Biasiotta, to read Amended Ordinance No. 112-2018 by title only for its first and final reading.

Council President Biasiotta stated:

“Commentary on the emergency. This is for our Deputy Finance Director, Joe Hotchkiss. He is at the top of his range. I cannot give a merit raise or anything. He has not had an adjustment to his salary in three and one-half years. So, for all the reasons we stated earlier with the budget and the due diligence, I believe an emergency is justifiable.”

Roll Call: all yea

MOTION CARRIED

Amended Ordinance No. 112-2018 was read by full title only for its first and final reading.

MOTION by Mr. Wrobel, seconded by Ms. Kelly, to pass Amended Ordinance No. 112-2018 as an emergency measure.

Mr. Wrobel stated:

“Once again, Council did its due diligence, and arriving at the salary range, comparing it to the OML (Ohio Municipal League) compared with other cities. So, we are amending a range here.”

Roll Call: all yea

MOTION CARRIED

AMENDED ORDINANCE NO. 112-2018 IS DECLARED PASSED.

Ordinance No. 113-2018 – 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 AMENDING THE COMPENSATION FOR THE PART-TIME CLERK OF COUNCIL; AND DECLARING AN EMERGENCY.

MOTION by Mr. Biasiotta, seconded by Ms. Kelly, to read Ordinance No. 113-2018 by title only for its first and final reading.
Council President Biasiotta stated:

"I would like to comment on this Ordinance. This is for our Clerk of Council. She hasn’t had a raise in over a year and one-half. Very, very crucial part of the team -- keeps it together. All the public postings, all the organization, and her knowledge are vital to the operation of this Council. She too, like Deputy Finance Director Joe Hotchkiss, is at the max of the current range. And, even to perform an annual review/merit, whatever you want to call it, an adjustment of this range is necessary. Once again, due to the timing and the budget assumptions being upheld, I believe the emergency is justifiable here."

Mr. Wrobel stated:

"If this were a full-time position, and we extended out the hourly range for a full-time salary, it would be $9,000.00 lower than the average or similar position."

Council President Biasiotta stated:

"So, once again, it is a conservative range. The Administrative Assistant in the State of Ohio on average makes $51,000.00 a year. This is still, comfortably, the maximum...... still is comfortably lower than that, and this would also bring equity between the various Administrative positions that are similar in the City of Seven Hills."

Roll Call: all yea  

MOTION CARRIED

Ordinance No. 113-2018 was read by full title only for its first and final reading.

MOTION  

by Mr. Biasiotta, seconded by Ms. Kelly, to pass Ordinance No. 113-2018 as an emergency measure.

Council President Biasiotta stated:

"Previously noted -- the range is considerably lower than the data. So, its budget friendly and well warranted and meant to have an appropriate range for a year or two. So, we aren’t constantly amending Ordinances, we are drafting legislation in performing this duty in the way a business would."

Mr. Wrobel stated:

"Again, for the record, in looking at our budget, the budget for City Council is well within parameters. We are a little bit under budget at this time, too. So, this is not going to hurt us budgetwise."
Council President Biasiotta stated:

"Thank you, Councilman Wrobel, for your continued diligence on the budget. I really appreciate it."

Roll Call: all aye

MOTION CARRIED

Council President Biasiotta continued by saying, "Let the record state that this is being introduced by Mayor Dell'Aquila and all of Council."

ORDINANCE NO. 113-2018 IS DECLARED PASSED.

Ordinance No. 114-2018 – 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 AMENDING THE COMPENSATION FOR THE MAYOR’S EXECUTIVE ASSISTANT; AND DECLARING AN EMERGENCY.

MOTION by Mr. Snitzky, seconded by Mr. Wrobel, to read Ordinance No. 114-2018 by title only for its first and final reading.

Mr. Snitzky stated:

"I have been asked by Leslie Stager (Councilwoman-at-Large) to do this. This was originally part of her program to bring pay ranges within reasonable expectations. The current Mayor’s Executive Assistant had her pay range cut. She is one of only two people left that had their pay range cut, and this is a restoration of that pay range. The cut was made on an emergency basis. On that basis alone, it is reasonable to do it on an emergency."

Mr. Snitzky continued:

"I personally have a real problem with emergencies, but based upon what the Council President has said, the budget has stabilized. I think these are……and we are on break basically for the next month, I think these are reasonable emergencies to do. The current Executive Assistant is responsible, obviously is, the Mayor’s right hand. She is also responsible for Public Records. She is the shortstop on receiving all Public Records Requests. She is the Secretary for any new Dispatch COG that is going on. She is also in charge of the Farmers’ Market. The Farmers’ Market has been a real, real public relations benefit to the City. I have people from all over the area talking about our Farmers’ Market and she’s dramatically increased the attendance in that role. So, I think reestablishing this salary range is prudent and fair. And, I feel that based upon the parameters that we’ve already discussed, it’s reasonable to do it on an emergency."

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Roll Call: all yea  

**MOTION CARRIED**

Ordinance No. 114-2018 was read by full title only for its first and final reading. 

**MOTION**

by Mr. Snitzky, seconded by Mr. Wrobel, to pass Ordinance No. 114-2018 as an emergency measure.

**Council President Biasiotta** stated:

“This Ordinance basically repeals a cut. It happened two years ago under the premise cuts needed to be made for budgetary responsibility. These cuts were not made across the board. They were made to specific people. I voted for this cut because when faced with not being able to cut the budget in making this choice, I felt at the time the fiscal move was to find any way to save money. With that said, since then, two levies have passed -- the sale of the public property for over $1.1 million has happened. The construction of the new facility off of Rockside Road -- that is going to generate $5.8 million over the next fifteen years -- has begun. So, we’re being true to what we did two years ago. Repealing this and restoring the salary range that was in effect going back to 2014, and lower than the salary range that was in effect from 2008-2014.”

**Council President Biasiotta** continued:

“This is the responsible and fair thing to do and keeping with the history, and I know everyone is bored of hearing it, the maximum for this role, going back to 2014, is within $1,000.00 of the average of the State. So, it’s a very, very fiscally responsible, and researched, and benchmark number just to repeal and put this back in place as it was when the fiscal situation was declared. So, I’ll be supporting this measure and, in all fairness, based upon the due diligence for what this role pays and deserves.”

Roll Call: all yea  

**MOTION CARRIED**

**ORDINANCE NO. 114-2018 IS DECLARED PASSED.**

**Ordinance No. 115-2018** – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A THREE-YEAR AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH JAMES G. ZUPKA, CPA, INC., OF GARFIELD HEIGHTS, OHIO, FOR THE PURPOSE OF PERFORMING PROFESSIONAL ACCOUNTING SERVICES WHICH INCLUDES, BUT IS NOT LIMITED TO, PROVIDING FUND FINANCIAL STATEMENTS AND THE PREPARATION OF FINANCIAL STATEMENTS IN ACCORDANCE WITH GASB STATEMENT 34, FOR THE CITY OF SEVEN HILLS, FOR THE YEARS ENDING DECEMBER 31, 2018, DECEMBER 31, 2019, AND DECEMBER 31, 2020; AND APPROPRIATING A SUM NOT TO EXCEED $48,244.00 FOR SAID SERVICES.
Ordinance No. 115-2018 was read by full title only for its first reading.

**MOTION** by Mr. Greenwald, seconded by Mr. Biasiotta, to amend Ordinance No. 116-2018 by removing the emergency clause in the title and in the body of the Ordinance, and reverting the Ordinance to its first reading.
Roll Call: all yea

**MOTION CARRIED**


Amended Ordinance No. 116-2018 was read by full title only for its first reading.

**MOTION** by Ms. Kelly, seconded by Mr. Biasiotta to amend Ordinance No. 117-2018 by removing the emergency clause in the title and in the body of the Ordinance, and reverting the Ordinance to its first reading.
Roll Call: all yea

**MOTION CARRIED**

**Amended Ordinance No. 117-2018** – 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 IV, THE MAYOR, SECTION 2, QUALIFICATIONS.

Amended Ordinance No. 117-2018 was read by full title only for its first reading.

**Resolution No. 18-2018** – A RESOLUTION RATIFYING 330 HOURS OF VOLUNTARILY DONATED SICK LEAVE UNITS BY SEVEN HILLS CITY EMPLOYEES TO THERESA FRANCIS; AND DECLARING AN EMERGENCY.

**MOTION** by Mr. Snitzky, seconded by Mr. Wrobel, to read Resolution No. 18-2018 by title only for its first and final reading.
Roll Call: all yea

**MOTION CARRIED**
Resolution No. 18-2018 was read by full title only for its first and final reading.

**MOTION** by Mr. Snitzky, seconded by Mr. Wrobel, to adopt Resolution No. 18-2018 as an emergency measure.
Roll Call: all yea

**MOTION CARRIED**

**RESOLUTION NO. 18-2018 IS DECLARED ADOPTED.**
APPOINTMENTS AND CONFIRMATIONS

Mayor Dell’Aquila requested that Council approve the Appointment of Mr. Stewart Lovece to the Position of Director of Public Service and Properties.

Council President Biasiotta asked for roll call.

The Clerk of Council called the roll with the following response:
  Biasiotta, nay
  Elliott, nay
  Greenwald, nay
  Kelly, nay
  Snitzky, yea
  Wrobel, nay
  1 yea, 5 nay

Mayor Dell’Aquila called for a Point of Order asking, “Should there have been a motion to either concur or not?”

MOTION by Mr. Biasiotta, seconded by Ms. Kelly, to concur with Mayor Dell’Aquila’s Appointment of Stewart Lovece to the Position of Director of Public Service and Properties.
Roll Call: Biasiotta, nay; Elliott, nay; Greenwald, nay; Kelly, nay; Snitzky, yea; Wrobel; nay.
  1 yea, 5 nays  
  MOTION DEFEATED

APPOINTMENT OF STEWART LOVECE TO THE POSITION OF DIRECTOR OF PUBLIC SERVICE AND PROPERTIES IS HEREBY DENIED.

MOTION by Mr. Biasiotta, seconded by Ms. Kelly, to concur with Mayor Dell’Aquila’s Appointment of Jack Johnson to the Position of Director of Public Service and Properties.
Roll Call: all yea  
  MOTION CARRIED

APPOINTMENT OF JACK JACKSON TO THE POSITION OF DIRECTOR OF PUBLIC SERVICE AND PROPERTIES IS HEREBY APPROVED.
OPEN TO THE AUDIENCE

There were no questions or comments from the audience.

OTHER BUSINESS

Mr. Wrobel had no miscellaneous comments.

Mr. Snitzky:

I may be stealing Councilwoman Stacey Kelly’s fire, but the Farmers’ Market is Thursday, August 9, 2018. Swenson’s Food Truck is going to be there. They’re going to have wine, and as many people should come as possible in order to keep the food trucks coming. Thank you.

Mr. Greenwald:

We don’t have anyone here currently in the audience except for Lieutenant Kappus, but I would like to thank everyone who came out to voice their opinion regarding the zoning changes that we looked at today. Assuming anyone is watching at home, I will also be for Commercial Development in this City for a variety of reasons as long as it does not negatively impact current residents in their homes. And, I think that is the situation we ran into today. I’m happy we had such great attendance and the residents made their voices known. I, for one, will always go along with them on those types of issues. I think that the rest of the Council would do the same. Thank you.

Ms. Stager was not present.

Mr. Elliott had no miscellaneous comments.

Ms. Kelly:

Just some comments in regard to the Building Commissioner. In keeping with this Council’s promise for transparency and due diligence, on July 23, 2018 we voted unanimously to change the Building Commissioner’s status from part-time to full-time with a salary adjustment. This legislation was on our agenda for a full three readings. The third and final reading included an emergency clause because the extra hours were needed immediately to address multiple current needs and the increased demand of multiple major new developments. Before the passage of Ordinance No. 95-2018 and Ordinance No. 96-2018 our Building Commissioner was working part-time at 29 hours per week which clearly is not enough hours when considering responsibilities that come with that position.
Ms. Kelly (continued):

The Building Commissioner is responsible for many things, such as the issuance of permits, backlog of tickets, rental inspections, reviewing prospective projects within the City and handling complaints made by residents. Last year alone, 599 complaints were made which the Building Commissioner had to respond to. Additionally, he also has to be present at Caucus Meetings, Council Meetings, Planning and Zoning Meetings, and not to mention court appearances.

The number of projects that our City will be involved in will be increasing between now and next year. This is far too much work to be done with a mere 29 hours a week. We did our due diligence and looked at many things when considering a salary increase.

The former Building Commissioner was paid with benefits over $78,000.00. This was without any current or pending projects. This Council voted for a salary range increase between $58,000.00 - $73,000.00 for the current Building Commissioner. When looking at the 2017 Ohio Municipal League salaries of 26 other surrounding communities, our Commissioner was grossly underpaid. According to the OML, for the Building Commission position, the minimum salary is $59,000.00, the median $84,000.00, the average $91,000.00, and the maximum being $143,000.00. Even at an increased pay scale, it is still a conservative salary when looking around the surrounding municipalities. The proposed salary is still $20,000.00 below the average.

We also then looked to certifications. The Standard Certification for a Building Commissioner is a CBO, which is a Chief Building Officer. That certification is mandated by the State of Ohio. Additionally, our Commissioner is also certified as a State Fire Marshall, an Electrician Inspector for Commercial and Residential Properties and a Residential Plumbing Inspector.

In 2016 the former Council enacted Ordinance No. 6-2016 which reduced the Commissioner’s status from full-time to part-time with a greatly reduced salary.

The current Building Commissioner was promoted during the wage freeze and inherited more work -- more hours for far less salary than what would be considered median for his experience and skill set. Not only did this create a backlog of work but complaints could not be addressed in a timely manner, and now we have various upcoming and pending projects that require more than this set 29 hours per week.

Ordinance No. 95-2018 and Ordinance No. 96-2018 were passed to ensure residents that City needs are being addressed. We as a City are moving forward and putting our residents in the best position as possible to succeed moving forward. Thank you.
Engineer Collins:

I just wanted to comment really quickly on Resolution No. 18-2018. I think that is incredible. This is touching to see ways to volunteer their sick leave for somebody who needs it. I think that’s incredible, awesome, and touching. It restores my faith in humanity, and it’s just nice to see.

Mayor Dell’Aquila had no miscellaneous comments.

Assistant Director of Law Tobin had no miscellaneous comments.

Building Commissioner Vittardi was not present.

Council President Biasiotta:

I have a couple of housekeeping items.

**MOTION** by Mr. Biasiotta, seconded by Mr. Elliott, to authorize the Clerk of Council to advertise for bids for the **Mapleview Drive and East Hill Circle Water Main Replacement Project** in accordance with Bid Specification and Contract Documents on file in the Office of the City Engineer.

Roll Call: all yea

**MOTION CARRIED**

Council President Biasiotta (continued):

With all the zoning -- what was proposed for the Ballot -- we had a number of letters that went out.......a very large chunk in Ward 4. Some of it was mandated and some of it was at my discretion because I wanted everybody impacted by the Elder Care Facility informed. And, I think it tripled the range that was required by law because I wanted everyone to know about the Public Hearing today -- with an Ad, Social Media, and Councilman Greenwald’s hand-delivered letters. By my approximation we had over seventy people here today, and I think that is awesome. They were all heard orally and no one spoke in support of the project, and everyone attended for the purpose of the Elder Care proposal was against it. But that doesn’t come without at least a small price.

These letters were all hand-stuffed and hand-addressed. Due to the uniqueness of it, I needed to expand our Council Typist’s hours. To meet that need we had to get them out in a timely manner so people could get their notification and time to adjust their schedules to be here. So, I am going to make a motion.
City of Seven Hills
Record of Minutes of

SPECIAL COUNCIL MEETING HELD August 6, 2018

MOTION by Mr. Biasiotta, seconded by Ms. Kelly, to authorize an additional 6.75 hours to the Council Typist for the current two-week pay period.
Roll Call: all yea

MOTION CARRIED

Council President Biasiotta (continued):

We are really late -- 4.75 hours at this point. We started at 6:00 p.m.

I wanted to throw out some congratulations to the Baseball Coaches and the Baseball Federation. We had a stellar year. A number of our Managers brought home titles leading their children. I will recognize those individuals when we get together next time.

We had a stellar Home Days in my opinion -- awesome, awesome fireworks on Saturday night. Very well-run event by Tony Terry, and at a later date, when we have a little more time, I am going to thank each of the volunteers that donated a significant amount of time to make that event a success. So, in the interest of time, I’m going to reserve that for the next time we get together.

I appreciate everybody’s patience tonight for almost five hours of meetings.

Director of Finance Herwick:

I just wanted to thank Council for passing Ordinance No. 112-2018. Joe Hotchkiss is an invaluable asset. It is nice to be able to give him a little something of what he deserves. So, thank you.

There was no further business brought before Council.
City of Seven Hills
Record of Minutes of

SPECIAL COUNCIL MEETING HELD August 6, 2018

MOTION by Mr. Biasiotta, seconded by Mr. Greenwald, to adjourn the meeting.
Roll Call: all yea

MOTION CARRIED

The August 6, 2018 Special Council Meeting was adjourned at 10:48 p.m.

Anthony D. Biasiotta, President of Council

Attest: ____________________________
Carol L. Sekerak, Clerk of Council

Date: ____________________________

Transcribed 9/08/18
Lisa Plisko, Council Assistant
(Edited C. Sekerak)