

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

This Regular Council Meeting was called to order by Council President Michael C. Barth at 8:20 p.m. with the Pledge of Allegiance.

ROLL CALL

Present and accounted for were Mayor Dell' Aquila, Director of Law Pignatiello, Assistant Law Director and Prosecutor DiChiro, Director of Finance Johnson, Councilman-at-Large Barth, Councilwoman-at-Large Lecznar, Councilman-at-Large Trafis, Ward 1 Councilman Bryda, Ward 2 Councilman Fraundorf, Ward 3 Councilman Snitzky, and Ward 4 Councilwoman Ernst. Absentees were Director of Public Service and Properties and Acting City Engineer Lovece and Building Commissioner Moro.

READING AND DISPOSAL OF JOURNAL

MOTION by Mr. Fraundorf, seconded by Mrs. Lecznar, to accept the Minutes of the Regular Council Meeting held April 28, 2014, as printed.
Roll Call: all yea **MOTION CARRIED**

CONSENT AGENDA

Council President Barth stated:

“I'd like to make note that Councilman Trafis will be recusing himself from Consent Agenda No. 2 due to a conflict with the Bentkowski litigation.”

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to accept **Consent Agenda No. 1** of May 12, 2014, as printed.
Roll Call: all yea **MOTION CARRIED**

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to accept **Consent Agenda No. 2** of May 12, 2014, as printed.
Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, yea; Trafis (recused)
6 yea, 0 nay (Trafis recused) **MOTION CARRIED**

RESOLUTIONS OF COMMENDATION

There were no Resolutions of Commendation.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

REPORTS OF COMMITTEES

Planning, Zoning, and Economic Development

Planning, Zoning, and Economic Development Committee Chairman Trafis stated that the Committee last met in Special Session on Monday evening, May 5, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Trafis said that the Committee will hold its next regular meeting on Monday evening, June 16, 2014.

Public Works

Public Works Committee Chairman Bryda stated that the Committee last met on Monday evening, May 5, 2014, and the minutes from that meeting are on file with the Clerk of Council; he said that the Committee will hold its next regular meeting on Monday evening, June 2, 2014.

Community Services

Community Services Committee Chairman Fraundorf stated that the Committee last met on Monday evening, April 7, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Fraundorf stated that the Committee will hold its next meeting in Special Session on Monday evening, May 19, 2014. Mr. Fraundorf said, due to a personal scheduling conflict, the Committee could not meet on May 5, 2014.

Police and Fire

Police and Fire Committee Chairman Snitzky stated that the Committee last met on Monday evening, April 21, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Snitzky stated that the Committee will hold its next regular meeting on Monday evening, May 19, 2014.

Parks and Recreation

Parks and Recreation Committee Chairperson Lecznar stated that the Parks Committee will also hold its next regular meeting on Monday evening, May 19, 2014.

Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chairperson Ernst stated that the Committee last met Monday evening, May 5, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mrs. Ernst stated that the Committee will hold its next regular meeting on Monday evening, June 2, 2014.

Finance, Civil Service, and Personnel

Finance, Civil Service, and Personnel Committee Chairman Barth stated that the Committee last met on Monday evening, May 5, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Barth stated that the Finance Committee will hold its next regular meeting on Monday evening, May 19, 2014.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

APPOINTMENTS AND CONFIRMATIONS

Council President Barth stated he understood that Mayor Dell'Aquila had an appointment for Council's consideration.

Mayor Dell'Aquila stated:

"Thank you, Mr. President. Per City Charter, we are required to appoint a replacement per ward to the Zoning Board of Appeals. We have a vacancy for the Ward 2 seat. At this time I would like to nominate Ward 2 resident, **Joseph P. O'Donnell** to fill that seat on the Zoning Board of Appeals. He is a resident at 6588 Crossview Road."

MOTION by Mr. Barth, seconded by Mrs. Lecznar, to confirm and accept the appointment of **Joseph P. O'Donnell** to the position of **Member of the Zoning Board of Appeals**.

Roll Call: all yea

MOTION CARRIED

Joseph P. O'Donnell's appointment to the position of Zoning Board of Appeals member is hereby approved.

COMMUNICATIONS, PETITIONS, AND CLAIMS

The Clerk of Council stated she received a letter immediately prior to this evening's Council Meeting with the request that it be presented to Council and the Administration and entered onto the record during the Communications portion of the meeting. Mrs. Sekerak read the communication, as follows:

"May 12, 2014

To: The Mayor and Council of the City of Seven Hills

From: Kathy Petro
1181 East Sprague Road
Seven Hills, Oh 44131

Re: Resolution 14-2014 regarding retaining Normandy High School as one of the three operating high schools in the Parma City School District.

My comments in the Sun News were in reference to our Strategic Plan Questions for the Board of Education at our special meeting on April 17, 2014. The question asked was "if you could push a reset button and change something about our district or make it disappear, what would it be?" My comments were in reference to the 2012 Consolidation Plan.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

I do believe that this district cannot be efficient, provide equity within our building levels, be competitive academically or athletically and maintain 7 athletic fields while having 3 high schools. However, there is no plan to consolidate and/or close any buildings in our district.

At the “Lead Team” meeting in the Strategic Planning process, Mr. Barth and Mr. Trafis were invited to be part of the “Management Team”. It is a shame that Mr. Barth chose not to represent Seven Hills. Thank you Mr. Trafis, for participating and representing Seven Hills in our Strategic Planning “Management Team” meeting on April 17, 2014 at Parma Snow Library.

In the past I have unsuccessfully tried to contact Mayor Dell’Aquila to speak about this issue, but instead he has had his attorney return my call. It would be my hope as a resident and taxpayer of Seven Hills that our elected officials would want to discuss this issue with the Parma City School District prior to placing this Resolution on the Agenda. I would be more than happy to meet and discuss my comments and thoughts on this issue with all of you.

Thank You for your time,
Kathy Petro /s/ Kathy Petro”

Mrs. Sekerak stated that she would make sure that copies of Kathy Petro’s letter were distributed to Mayor Dell’Aquila and all Council Members.

Council President Barth commented:

“Thank you. For the record, I never received any type of invitation to be a member of a Strategic Plan, or Board, or meeting, or whatever.”

COUNCIL OPEN TO THE AUDIENCE ON LEGISLATION ONLY

There were no questions or comments from the audience.

ORDINANCES AND RESOLUTIONS

Ordinance No. 57-2014 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COOPERATION AGREEMENT WITH THE GOVERNING BODY OF THE CITY OF SEVEN HILLS HALL OF FAME IN ORDER TO LOAN THE GOVERNING BODY AN AMOUNT NOT TO EXCEED \$5,000.00 FOR THE IMPLEMENTATION OF THE PROGRAM WHICH WILL COVER THE COST OF THE FIRST INDUCTION CEREMONY WHICH IS SCHEDULED FOR THE FALL OF 2014.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to read Ordinance No. 57-2014 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 57-2014 was read by full title only for its third and final reading.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to pass Ordinance No. 57-2014

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 57-2014 IS DECLARED PASSED.

Ordinance No. 58-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH KISSEL AMUSEMENT COMPANY, INC., FOR THE PURPOSE OF PROVIDING AMUSEMENT RIDES, GAME CONCESSIONS, AND FOOD/CONFECTIONARY CONCESSIONS FOR THE CITY OF SEVEN HILLS HOMEDAYS TO BE HELD JULY 25 THROUGH 27, 2014.

MOTION by Mrs. Ernst, seconded by Mr. Bryda, to read Ordinance No. 58-2014 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 58-2014 was read by full title only for its third and final reading.

MOTION by Mrs. Ernst, seconded by Mr. Bryda, to pass Ordinance No. 58-2014.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 58-2014 IS DECLARED PASSED.

Ordinance No. 59-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH ZAMBELLI FIREWORKS MANUFACTURING COMPANY OF NEW CASTLE, PENNSYLVANIA, FOR THE PURPOSE OF SELLING, FURNISHING, DELIVERING AND PRESENTING A FIREWORKS DISPLAY FOR THE CITY OF SEVEN HILLS HOMEDAYS 2014 AND APPROPRIATING A SUM NOT TO EXCEED \$8,550.00 FOR SAID SERVICE.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to read Ordinance No. 59-2014 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 59-2014 was read by full title only for its third and final reading.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to pass Ordinance No. 59-2014.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 59-2014 IS DECLARED PASSED.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Ordinance No. 60-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A PERFORMANCE CONTRACT WITH WILLIAM J. MAXWELL, JR., DBA WJM PRODUCTIONS, OF MARYSVILLE, OHIO, FOR THE PURPOSE OF PROVIDING DR. INSPECTOR’S BUG LAB (BUG LAB EXPERIENCE) FOR THE CITY OF SEVEN HILLS WEEK 10 (August 21, 2014) SUMMER CAMP PROGRAM FOR THE SUMMER CAMP PROGRAM PARTICIPANTS ENROLLED AT THE CITY OF SEVEN HILLS RECREATION CENTER, AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$350.00 FOR THE “BUG LAB EXPERIENCE”.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to read Ordinance No. 60-2014 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 60-2014 was read by full title only for its third and final reading.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to pass Ordinance No. 60-2014.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 60-2014 IS DECLARED PASSED.

Ordinance No. 61-2014 – AN ORDINANCE TO AMEND SECTION 151.021, PAID HOLIDAYS, 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, OHIO, FOR THE PURPOSE OF CONFORMING TO THE FEDERALLY RECOGNIZED HOLIDAY SCHEDULE.

MOTION by Mr. Barth, seconded by Mrs. Lecznar, to read Ordinance No. 61-2014 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 61-2014 was read by full title only for its third and final reading.

MOTION by Mr. Barth, seconded by Mrs. Lecznar, to pass Ordinance No. 61-2014.

Council President Barth stated:

“I would like to say that the new union agreements and this ordinance are very gratifying to me because they are the culmination of many years of my advocating for our City to observe the Federal holidays rather than the holidays designated by the unions.”

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 61-2014 IS DECLARED PASSED.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to amend Ordinance No. 69-2014 by removing the term “*for the year 2014*” from the title, by removing the term “*for the year 2014*” from Section 1, and further by removing the term “*during the year 2014*” from Section 2.

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, yea; Trafis, nay.

6 yea, 1 nay

MOTION CARRIED

Amended Ordinance No. 69-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH KROCK ESSER ENGINEERING, INC., OF RICHFIELD, OHIO, TO PROVIDE ENGINEERING SERVICES AS REQUESTED BY THE CITY; AND DECLARING AN EMERGENCY.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to read Amended Ordinance No. 69-2014 by title only for its first and final reading.

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, yea; Trafis, nay.

6 yea, 1 nay

MOTION CARRIED

Amended Ordinance No. 69-2014 was read by full title only for its first and final reading.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to pass Amended Ordinance No. 69-2014 as an emergency measure.

Mr. Trafis made the following comments:

“For the better part of a decade I have been publicly advocating that we eliminate our in-house Engineering Department and outsource our engineering as we have in the past. I am very, very pleased that the Mayor, the Council President, and others on City Council are reversing their previously held public positions that it is not cost effective to return to the ways of the past when all of our City’s engineering work was outsourced. As pleased as I am about this ordinance, I do not believe it is proper to pass tonight for a number of reasons. But first and foremost I do want to say that what sparked this change of policy is that our current Engineer is away on medical leave. Now that the Administration is deciding to contract out engineering, I believe that now is the time to completely phase out our in-house department and assign it only to one outside engineering firm. When I was doing some research on Krock Esser, I contacted the seven communities that they listed as references, and to the best of my knowledge, and as confirmed by Mr. Esser who is in our audience, none of these communities have in-house engineering departments. I do believe that if this firm, or any other firm for that matter, were hired by Seven Hills, we should do exactly the same thing.”

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Mr. Trafis (continued):

“I cannot support having an in-house Engineering Department and also having an outsourced engineering firm which is also at a substantial cost. This, to me, just doesn’t make sense. I do also want to say to Mr. Esser, who is in the audience, that the people I’ve spoken with, who you work with, have had nothing but wonderful things to say about you, your partner, and your firm. I have no doubt that you’ll do an excellent job in Seven Hills, and I do thank you for being here and giving us all your presentations – yourself and your partner previously. Thank you, Mr. President.”

Mr. Bryda stated:

“I just want to assure the residents that we will be monitoring the Engineering Department as it will be organized now and make sure that we don’t go back to years ago when we were spending hundreds of thousands of dollars on an outside engineering firm. Thank you.”

Council President Barth made the following remarks:

“It was just over nine months ago that Mark Papke resigned as our Engineer to take a job in Lakewood. Mayor Dell’ Aquila and I had a conversation back then on how to fill the void, and agreed that because Service Director Lovece was a certified professional engineer that he could complete some of the lesser tasks that only a professional engineer could do, like review and approve plans. The Mayor and I were also in agreement that we would eventually have to engage an outside engineering firm to handle larger jobs. Because of Director Lovece’s illness, that time has now come. A few months back we met with and interviewed representatives of Bowen & Associates, an engineering firm. The Mayor also checked with a couple of his fellow Mayors, and the firm Krock Esser Engineering was highly recommended. So he brought them in to make a presentation to Council and provided Council with a proposal. In that presentation they not only talked about engineering but also about grant writing, which was music to my ears. Director Johnson completed an analysis of both proposals, and the Mayor chose Krock Esser Engineering. The Mayor has the right to enter into a professional services agreement with whomever he considers the best firm, and we have the right to approve or disapprove the agreement. Krock Esser Engineering seems like a natural, because not only do they appear to have the better proposal, but they also do work for our neighboring City, Broadview Heights, and come highly recommended by Mayor Alai. Bids are due soon on our street program. Any delay in bringing on an engineer to review the bids and oversee the project could delay the street program. So I ask my colleagues to support this two-year agreement to bring on Krock Esser Engineering.”

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, yea; Trafis, nay.
6 yea, 1 nay

MOTION CARRIED

AMENDED ORDINANCE NO. 69-2014 IS DECLARED PASSED.

Ordinance No. 70-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A MUTUAL AID AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH THE CITY OF BROADVIEW HEIGHTS, IN ORDER TO SHARE RESOURCES, EXERCISE VARIOUS POWERS, PERFORM FUNCTIONS OR RENDER SERVICES TO EACH OTHER FOR THE BENEFIT OF THE CITIES; AND DECLARING AN EMERGENCY.

MOTION by Mrs. Ernst, seconded by Mr. Bryda, to read Ordinance No. 70-2014 by title only for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 70-2014 was read by full title only for its first and final reading.

MOTION by Mrs. Ernst, seconded by Mr. Bryda, to pass Ordinance No. 70-2014 as an emergency measure.

Mrs. Ernst stated:

“I would like to say that we’re passing this as an emergency on the first reading because we are actually acting as mutual aid with the City of Broadview Heights, and this is just to formalize that.”

Council President Barth thanked Mrs. Ernst for the explanation.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 70-2014 IS DECLARED PASSED.

Ordinance No. 71-2014 – AN ORDINANCE TO AMEND SECTION 1133.05, TIME LIMIT ON LAWN AND LANDSCAPE INSTALLATION FOR RESIDENTIAL LOTS, AS CONTAINED IN CHAPTER 1133, LANDSCAPING AND LAWN SERVICES, OF TITLE THREE, LOCAL BUILDING PROVISIONS, OF PART ELEVEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, FOR THE PURPOSE OF ADDING A NEW SECTION 1133.05(c) WHICH WILL STATE GUIDELINES FOR AN UNIMPROVED LOT IN A SUBDIVISION AND INCREASE THE PENALTY FOR VIOLATIONS OF SECTION 1133.05.

Ordinance No. 71-2014 was read by full title only for its first reading.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Ordinance No. 72-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH LAKEFRONT LINES, INC./HOPKINS, OF CLEVELAND, OHIO, TO PROVIDE TRANSPORTATION FOR A BUS TRIP TO THE COLUMBUS STATE HOUSE, COLUMBUS, OHIO, ON JUNE 10, 2014; AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$910.00 FOR SAID TRIP.

Ordinance No. 72-2014 was read by full title only for its first reading.

Ordinance No. 73-2014 – AN ORDINANCE TO AMEND SECTION 107.04(b), REGULARLY SCHEDULED MEETINGS OF COUNCIL, AND AMEND SECTION 107.05(a), REGULARLY SCHEDULED MEETINGS OF COMMITTEES OF COUNCIL, AS CONTAINED IN CHAPTER 107, PUBLIC NOTICE AND PUBLIC MEETINGS, OF TITLE ONE, GENERAL PROVISIONS, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF AMENDING COUNCIL MEETING TIMES.

Ordinance No. 73-2014 was read by full title only for its first reading.

Ordinance No. 74-2014 – AN ORDINANCE TO AMEND SECTION 121.09, RULE 1(a), REGULAR MEETINGS, AS CONTAINED IN SECTION 121.09, RULES OF COUNCIL, OF CHAPTER 121, COUNCIL, OF TITLE THREE, LEGISLATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF AMENDING THE TIME COUNCIL MEETINGS COMMENCE.

Ordinance No. 74-2014 was read by full title only for its first reading.

Ordinance No. 75-2014 – AN ORDINANCE TO AMEND SECTION 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 EXTENDING INSTALLATION TIME FOR TEMPORARY SNOW FENCES.

Ordinance No. 75-2014 was read by full title only for its first reading.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to amend Ordinance No. 76-2014 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. 76-2014 – AN ORDINANCE APPROPRIATING AN ADDITIONAL SUM OF \$1,200.00 FOR A CHANGE ORDER TO ORDINANCE NO. 51-2014, PASSED BY COUNCIL APRIL 14, 2014, WHICH AUTHORIZED AN INITIAL AMOUNT OF \$1,200.00 FOR THE PURPOSE OF ENTERING INTO A NONTERMINAL MASTER SERVICES AGREEMENT WITH THE CUYAHOGA REGIONAL INFORMATION SYSTEM BOARD OF ADVISORS TO ALLOW THE CITY OF SEVEN HILLS POLICE DEPARTMENT TO PARTICIPATE IN THE REGIONAL ENTERPRISE DATA SHARING SYSTEM (REDSS), THE CUYAHOGA COUNTY REGIONAL AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (CCRAFIS), AND THE AUTOMATIC LICENSE PLATE READER PROGRAM (ALPR); AND AUTHORIZING AN INITIAL AMOUNT OF \$1,200.00 ANNUALLY FOR SAID SERVICE.

Amended Ordinance No. 76-2014 was read by full title only for its first reading.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to amend Ordinance No. 77-2014 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. 77-2014 – AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$600.00 FOR A CHANGE ORDER TO ORDINANCE NO. 52-2014, PASSED BY COUNCIL APRIL 14, 2014, WHICH AUTHORIZED AN INITIAL AMOUNT OF \$1,200.00 FOR THE PURPOSE OF ENTERING INTO A NONTERMINAL MASTER SERVICES AGREEMENT WITH THE CUYAHOGA REGIONAL INFORMATION SYSTEM BOARD OF ADVISORS TO ALLOW THE CITY OF SEVEN HILLS MAYOR'S COURT TO PARTICIPATE IN THE REGIONAL ENTERPRISE DATA SHARING SYSTEM (REDSS), THE CUYAHOGA COUNTY REGIONAL AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (CCRAFIS), AND THE AUTOMATIC LICENSE PLATE READER PROGRAM (ALPR); AND AUTHORIZING AN INITIAL AMOUNT OF \$1,200.00 ANNUALLY FOR SAID SERVICE.

Amended Ordinance No. 77-2014 was read by full title only for its first reading.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

MOTION by Mrs. Ernst, seconded by Mr. Bryda, to amend Ordinance No. 78-2014 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. 78-2014 – AN ORDINANCE TO APPROPRIATE AN ADDITIONAL SUM OF \$600.00 FOR A CHANGE ORDER TO ORDINANCE NO. 53-2014, PASSED BY COUNCIL APRIL 14, 2014, WHICH AUTHORIZED AN INITIAL AMOUNT OF \$1,200.00 FOR THE PURPOSE OF ENTERING INTO A NONTERMINAL MASTER SERVICES AGREEMENT WITH THE CUYAHOGA REGIONAL INFORMATION SYSTEM BOARD OF ADVISORS TO ALLOW THE CITY OF SEVEN HILLS PROSECUTOR’S OFFICE TO PARTICIPATE IN THE REGIONAL ENTERPRISE DATA SHARING SYSTEM (REDSS), THE CUYAHOGA COUNTY REGIONAL AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (CCRAFIS), AND THE AUTOMATIC LICENSE PLATE READER PROGRAM (ALPR); AND AUTHORIZING AN INITIAL AMOUNT OF \$1,200.00 ANNUALLY FOR SAID SERVICE.

Amended Ordinance No. 78-2014 was read by full title only for its first reading.

The Fiscal Officer’s Certificate pertaining to Ordinance No. 79-2014 from Director of Finance Jack Johnson, dated May 12, 2014, was read by the Clerk of Council.

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to amend Ordinance No. 79-2014 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. 79-2014 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,280,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING DONNA RAE DRIVE, EAST DARTMOOR AVENUE, EAST ENGLEWOOD DRIVE, EDUCATIONAL PARK DRIVE, AND ST. JOSEPH DRIVE BETWEEN CERTAIN TERMINI BY RECONSTRUCTING CURBS, CURB RAMPS, DRIVEWAY APPROACHES, UNDERDRAINS AND SECTIONS OF THE PAVEMENT BASE, WHERE NECESSARY, ADJUSTING AND REHABILITATING MANHOLES AND CATCH BASINS, PREPARING THE SURFACE AND RESURFACING AND IMPROVING EAST SPRAGUE ROAD BETWEEN CERTAIN TERMINI, IN COOPERATION WITH CUYAHOGA COUNTY AND THE CITY OF BROADVIEW HEIGHTS, BY PREPARING THE SURFACE, ADJUSTING CASTINGS TO GRADE, RECONSTRUCTING AND REHABILITATING CURBS AND DRIVEWAY APPROACHES AND RESURFACING, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Amended Ordinance No. 79-2014 was read by full title only for its first reading.

The Fiscal Officer's Certificate pertaining to Ordinance No. 80-2014 from Director of Finance Jack Johnson, dated May 12, 2014, was read by the Clerk of Council.

MOTION by Mr. Fraundorf, seconded by Mrs. Lecznar, to amend Ordinance No. 80-2014, 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. 80-2014 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$750,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING PINNACLE PARK DRIVE AND OLD ROCKSIDE ROAD BETWEEN CERTAIN TERMINI BY CONSTRUCTING, RECONSTRUCTING AND REHABILITATING THE PAVEMENT BASE, CURBS, A BOX CULVERT, AND OTHER DRAINAGE IMPROVEMENTS, DRIVEWAY APPROACHES AND SIDEWALKS, ADJUSTING RADIUS CUTBACKS, MANHOLES AND CATCH BASINS, PREPARING THE SURFACE, SURFACING AND RESURFACING AND INSTALLING TRAFFIC SIGNALS AND SIGNALIZATION, WHERE NECESSARY, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO, AND ACQUIRING REAL ESTATE AND INTEREST IN REAL ESTATE IN CONNECTION THEREWITH.

Amended Ordinance No. 80-2014 was read by full title only for its first reading.

The Fiscal Officer's Certificate pertaining to Ordinance No. 81-2014 from Director of Finance Jack Johnson, dated May 12, 2014, was read by the Clerk of Council.

MOTION by Mrs. Ernst, seconded by Mr. Bryda, to amend Ordinance No. 81-2014 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. 81-2014 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$735,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY'S SANITARY SEWER SYSTEM BY CONSTRUCTING THE HEMLOCK CREEK WATERSHED SANITARY SEWER PROJECT, TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO, TO PROVIDE SANITARY SEWERAGE FACILITIES TO

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

SERVE PROPERTIES ON CHERRY LANE, HILLSIDE ROAD, MARY LANE, NORTH MARY LANE, SOUTH MARY LANE, NEMET DRIVE, OAK LANE, SEVEN HILLS BOULEVARD, SHADY LANE, AND TWILIGHT DRIVE.

Amended Ordinance No. 81-2014 was read by full title only for its first reading.

The Fiscal Officer's Certificate pertaining to Ordinance No. 82-2014 from Director of Finance Jack Johnson, dated May 12, 2014, was read by the Clerk of Council.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to amend Ordinance No. 82-2014 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. 82-2014 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$650,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY PART OF THE CITY'S PORTION OF THE COST OF IMPROVING BROADVIEW ROAD AND CIVIC DRIVE BETWEEN CERTAIN TERMINI, IN COOPERATION WITH THE CITY OF PARMA AND THE OHIO DEPARTMENT OF TRANSPORTATION AND OTHERWISE, BY PREPARING THE SURFACE, RESURFACING AND CONSTRUCTING AND RECONSTRUCTING CURB RAMPS, WHERE NECESSARY, CONSTRUCTING AND RECONSTRUCTING CONCRETE SIDEWALKS AND DRIVEWAY APPROACHES AND REPLACING CURBS, WHERE NECESSARY, AND GRADING AND OTHERWISE PREPARING THE SURFACE, INSTALLING DECORATIVE BRICK SIDEWALK PAVEMENT AND MATERIALS AND APPURTENANT SIDEWALK FURNISHINGS, CONSTRUCTING A RETAINING WALL OR WALLS, WHERE NECESSARY, AND PLANTING SHADE TREES AND PROVIDING RELATED LANDSCAPING, DRAINAGE IMPROVEMENTS AND LIGHTING, IN EACH CASE TOGETHER WITH THE NECESSARY APPURTENANCES AND WORK INCIDENTAL THERETO.

Amended Ordinance No. 82-2014 was read by full title only for its first reading.

The Fiscal Officer's Certificate pertaining to Ordinance No. 83-2014 from Director of Finance Jack Johnson, dated May 12, 2014, was read by the Clerk of Council.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to amend Ordinance No. 83-2014 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

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Amended Ordinance No. 83-2014 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$170,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE CITY’S MUNICIPAL COMPLEX BY REMODELING, RENOVATING, EQUIPPING AND OTHERWISE IMPROVING THE CITY HALL AND THE RECREATION CENTER IN THAT COMPLEX.

Amended Ordinance No. 83-2014 was read by full title only for its first reading.

The Fiscal Officer’s Certificate pertaining to Ordinance No. 84-2014 from Director of Finance Jack Johnson, dated May 12, 2014, was read by the Clerk of Council.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to amend Ordinance No. 84-2014 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. 84-2014 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$120,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF IMPROVING THE TECHNOLOGY USED IN PROVIDING CITY SERVICES, INCLUDING TELECOMMUNICATIONS EQUIPMENT, COMPUTER EQUIPMENT AND RELATED SOFTWARE, TOGETHER WITH NECESSARY APPURTENANCES AND INSTALLATION WORK INCIDENTAL THERETO.

Amended Ordinance No. 84-2014 was read by full title only for its first reading.

The Fiscal Officer’s Certificate pertaining to Ordinance No. 85-2014 from Director of Finance Jack Johnson, dated May 12, 2014, was read by the Clerk of Council.

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to amend Ordinance No. 85-2014 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. 85-2014 – AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$115,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF ACQUIRING MOTOR VEHICLES AND EQUIPMENT FOR USE IN CARRYING OUT FUNCTIONS OF THE DEPARTMENT OF PUBLIC SAFETY.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Amended Ordinance No. 85-2014 was read by full title only for its first reading.

MOTION by Mr. Fraundorf, seconded by Mrs. Lecznar, to amend Ordinance No. 86-2014 by inserting the words “*not to exceed thirty-five (35) hours*” after the phrase ‘Part-Time City Engineer’ in the title, and further by inserting the words “*and shall not exceed thirty-five (35) hours*” at the end of revised subsection 143.06(b) after the phrase ‘for such position’.
Roll Call: all yea **MOTION CARRIED**

Amended Ordinance No. 86-2014 – AN ORDINANCE TO AMEND SECTION 143.06(b), PART-TIME CITY ENGINEER, AS CONTAINED IN CHAPTER 143, DIVISION OF ENGINEERING, OF TITLE FIVE, ADMINISTRATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF AMENDING THE COMPENSATION OF THE PART-TIME CITY ENGINEER, NOT TO EXCEED THIRTY-FIVE (35) HOURS; AND DECLARING AN EMERGENCY.

MOTION by Mr. Fraundorf, seconded by Mrs. Lecznar, to read Amended Ordinance No. 86-2014 by title only for its first and final reading.
Roll Call: all yea **MOTION CARRIED**
Amended Ordinance No. 86-2014 was read by full title only for its first and final reading.

MOTION by Mr. Fraundorf, seconded by Mrs. Lecznar, to pass Amended Ordinance No. 86-2014 as an emergency measure.

Mr. Snitzky stated:

“I’d like to make the comment that the reason we’re doing this on an emergency is because of the illness to Engineer Lovece.”

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, yea; Trafis, nay.

6 yea, 1 nay

MOTION CARRIED

AMENDED ORDINANCE NO. 86-2014 IS DECLARED PASSED.

MOTION by Mrs. Lecznar, seconded by Mr. Barth, to amend Resolution No. 14-2014 by removing the emergency clause in the title and in the body of the Resolution, and reverting the Resolution to its first reading.
Roll Call: all yea **MOTION CARRIED**

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Amended Resolution No. 14-2014 – A RESOLUTION OF THE CITY OF SEVEN HILLS, OHIO, EXPRESSING THE MAYOR’S AND COUNCIL’S SUPPORT FOR RETAINING NORMANDY HIGH SCHOOL AS ONE OF THREE OPERATING HIGH SCHOOLS IN THE PARMA CITY SCHOOL DISTRICT.

Amended Resolution No. 14-2014 was read by full title only for its first reading.

Resolution No. 15-2014 – A RESOLUTION PROCLAIMING THE CITY OF SEVEN HILLS COUNCIL’S SUPPORT OF THE CITY OF SEVEN HILLS BEING INCLUDED IN THE “REGIONAL STORMWATER MANAGEMENT PROGRAM: *FLOODING, EROSION, AND WATER QUALITY COMMUNITY AMICUS BRIEF*” (Ohio Supreme Court Case No. 2013-1770); AUTHORIZING THE MAYOR, LAW DIRECTOR OR OTHER CITY OFFICIAL TO SIGN SAID BRIEF AND/OR OTHER NECESSARY DOCUMENTS REGARDING THE AMICUS BRIEF; AND DECLARING AN EMERGENCY.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to read Resolution No. 15-2014 by title only for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Resolution No. 15-2014 was read by full title only for its first and final reading.

MOTION by Mrs. Ernst, seconded by Mrs. Lecznar, to adopt Resolution No. 15-2014 as an emergency measure.

Mr. Snitzky stated:

“I wasn’t here for the last Caucus meeting, and I’m steadfastly opposed to the Water Department getting any more money from residents for flooding and things like that. I don’t think they are giving us enough of a benefit for this, especially on the length of Hemlock Creek. And I’m going to vote ‘no’ to this Resolution.”

Council President Barth commented:

“For the record, do you understand what this legislation is – you weren’t at the Caucus.”

Mr. Snitzky replied ‘yes’.

Mr. Barth replied, “Okay, that’s fine. You can vote any way you want.”

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, nay; Trafis, yea.

6 yea, 1 nay

MOTION CARRIED

RESOLUTION NO. 15-2014 IS DECLARED ADOPTED.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

COUNCIL OPEN TO THE AUDIENCE

There were no questions or comments from the audience.

MISCELLANEOUS

Mr. Bryda had no miscellaneous comments.

Mr. Trafis:

I just want to mention that I think the appointment of Joe O'Donnell to the Zoning Board of Appeals is a good appointment. With the summer season quickly approaching, he will be put to work pretty quickly.

Mrs. Ernst had no miscellaneous comments.

Mr. Snitzky had no miscellaneous comments.

Mr. Fraundorf:

I do have just a few comments. I wanted to provide an epilogue to the comments I made at the April 28, 2014 Council Meeting. I'm pleased to say that my concern regarding the electronic version of the newsletter has been installed on our current website. We also have instructions on our current website to receive updates of the newsletter.

I also wanted to provide some additional information regarding my concerns about the 3:00 a.m. to 6:00 a.m. parking ban. As you know I made a comment about a large service vehicle being parked in front of my home from Friday night until Monday morning. As it turns out the vehicle was stolen. So, I just want everyone to know that.

Also, I have renewed energy regarding the website upgrade. Chris Matthews and I had an excellent conference call with a representative from Brooklyn Heights. I think that we are definitely on the right path with respect to upgrading our website.

Council President Barth replied, "And I have no doubts I have the right person representing Council with the website. Thank you for your work on this."

Mrs. Lecznar:

Next time we have meetings this long, we're going to do what we did in kindergarten. We got up half-way and did calisthenics so everybody wakes up a little bit.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Council President Barth:

I just want to reiterate that I was never invited to a Strategic Planning Meeting, and I resent the implication that I am shirking my duties to this City. I think everyone on this dais knows otherwise. I find it curious that Board Member Petro invited Councilman Trafis to the meeting. If I would have been contacted I would have told her that it was the prerogative of the Council President to appoint a liaison. And that liaison was usually, as in the past, the Rules Committee Chairman.

I would also like to thank the Seven Hills electorate for their support of Issue 20.

And, despite what everybody out there says, I'd also like to thank the electorate for their support of the School Levy as well. The school levy passed in Seven Hills – for the record.

REPORTS FROM THE DIRECTORS OF DEPARTMENTS AND OTHER OFFICIALS

Director of Finance Johnson had no formal report.

Director of Law Pignatiello had no formal report.

Assistant Law Director and Prosecutor DiChiro had no formal report.

Director of Public Service and Properties and Acting City Engineer Lovece was not present.

Building Commissioner Moro was not present.

REPORTS AND COMMUNICATIONS FROM THE MAYOR-SAFETY DIRECTOR

Mayor Dell'Aquila made the following remarks:

I'd like to first begin by thanking Council for the passage of Ordinance No. 69-2014 approving the hiring of Krock Esser Engineering to provide basic engineering services to the City of Seven Hills for \$48,000.00 per year. As we discussed previously, the Administration conducted a lengthy review of this issue over the last several years, and I had indeed met with Mr. Esser soon after I was elected Mayor on this very subject. We all have been discussing shared arrangements with other communities for quite a while. Mr. Esser, as we know, is the Broadview Heights Engineer, and our positive experience in working with him there on projects which overlap our boundaries was a large factor in our selection of Krock Esser. The comparison of the two proposals we have received and discussed with Council this evening made the decision very simple for everyone, unfortunately except for one of our Council Members.

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Mayor Dell'Aquila (continued):

I had hoped that Seven Hills had moved beyond the time when our Elected Officials found it necessary to climb over each other to try to take credit. As to the future, I remind everyone that Seven Hills does not currently have an Engineering Department. Our Service Director is our Acting Engineer. He's now out of surgery. There is no clerical staff assigned to Engineering. And we have only one Engineering Technician, who is now also serving as our back-up for our Service Director, who as I say, is out ill. So, there is no question that we have an emergency on our hands. Bid openings are coming soon -- the pre-bid process on the large streets programs we're about to conduct -- and it's absolutely imperative that we have engineering in place. During his presentation to Council this evening, Mr. Esser indicated that the cities and other communities he works with have in-house staff -- not engineers, though -- working there on a daily basis. So, I do not anticipate that we will be able to do anything different than Mr. Esser described in our meeting. I can only assume that Councilman Trafis must have missed that part of the presentation.

On a more global level Seven Hills has had a history of intemperate remarks among our Elected Officials. And I will continue my efforts not to respond in kind. I will only ask this question. What logic is there in voting against the positive good idea while also trying to claim credit for the idea you voted against?

And with regard to the letter we received from the School Board Member. We would not be having any of the conversations that we are having concerning Resolution No. 14-2014 but for the fact that the April 24, 2014 *Sun News* included an article referencing the quote which is at issue. I remind everyone that article was not written by the City of Seven Hills. The quote in the paper, as written, is written in the present tense, not the past tense. And says that the Board Member "does not believe the District needs three high schools". For those who may wish to challenge the accuracy of the quotes contained in the newspaper, that is a matter to be taken up with the newspaper -- not with the City of Seven Hills. We all understand the importance of Normandy High School to the City of Seven Hills. The obvious meaning of the quoted statement is that the Board Member continues to hold the belief that three high schools are too many. The quote is clearly not the reference to prior attempts to consolidate Normandy High School out of existence as one of three high schools in the Parma City School District.

Thank you, Mr. President.

Council President Barth stated:

"Before I close, I'd just like to say our '*Madame Clerk*' didn't need any calisthenics tonight. She did a wonderful job with all that reading -- and without a glass of water I notice!"

Mrs. Sekerak replied, "A lot of coffee!"

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 12, 2014

Council President Barth (continued):

“So, once again, thank you for the yeoman’s job, Madame Clerk!”

Mrs. Sekerak replied, “You are welcome!”

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to adjourn the meeting.

Roll Call: all yea

MOTION CARRIED

The May 12, 2014 Council Meeting was adjourned at 9:35 p.m.

Michael C. Barth, President of Council

Attest: _____
Carol L. Sekerak, Clerk of Council

Date: _____