

City of Seven Hills

Record of Minutes of the

COUNCIL MEETING HELD – OCTOBER 24, 2023

The Regular Council Meeting of October 24, 2023, was called to order by President of Council Kiriazis at 6:14 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present and accounted for were Mayor Biasiotta, Director of Law Moore, Councilman-at-Large Costanzo, Ward 1 Councilman Kiriazis, Ward 2 Councilman Martin, Ward 3 Councilman Snitzky, Ward 4 Councilman Morrow, Director of Public Service and Properties Johnson, Bldg. Comm. Grassi Engineer Schmitzer

MOTION: by Mr. Kiriazis, and seconded by Mr. Snitzky to excuse Councilman-at-Large Elliott, Councilwoman-at-Large Kelly, and Director of Finance Petrunyak

ROLL CALL: all yeas

MOTION CARRIED

READING AND DISPOSAL OF JOURNAL

Motion by Mr. Snitzky, seconded by Mr. Morrow to amend the minutes of the meeting of July 18, 2023, in Ordinance No. 38-2023 there is a typo it should say Ordinance No. 38-2023 was declared passed and the typo is that the word declared is spelled wrong.

Roll Call: all yeas

MOTION CARRIED

Mr. Martin asked Mr. Snitzky if he could clarify the date. Mr. Snitzky responded these are the Council meeting minutes of July 18, 2023.

Motion by Mr. Snitzky, seconded by Mr. Morrow, that having read the minutes of the Council meeting dated July 18, 2023, I find no errors or omissions, and I move that they be approved as printed.

Roll Call: all yeas

MOTION CARRIED

Motion by Mr. Snitzky, seconded by Mr. Morrow, that having read the minutes of the Council meeting dated October 10, 2023, I find no errors or omissions, and I move that they be approved as printed.

Roll Call: all yeas

MOTION CARRIED

CONSENT AGENDA-There was none.

RESOLUTION OF COMMENDATION-There were none.

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REPORTS OF COMMITTEES

Planning, Zoning, and Economic Development

Planning Zoning and Economic Development Chair Snitzky reported that the Planning, Zoning and Economic Development Committee met tonight, and the minutes will be filed as soon as I get an opportunity. Our next meeting will be held on November 28, 2023.

Public Works

Public Works Committee Chair Costanzo reported that the Committee last met on October 10, 2023, and the minutes are on file with the Clerk. Our next meeting will be held on November 14, 2023.

Community Services

Mr. Kiriazis reported that the Committee last met on October 10, 2023. The Committee will hold its next regular meeting on Tuesday, November 14, 2023.

Police and Safety

Mr. Kiriazis reported that the Committee last met on October 10, 2023. The Committee will hold its next regular meeting on Tuesday, November 14, 2023.

Parks and Recreation

The Parks and Recreation Committee Chair Morrow reported that the Committee last met this evening October 24, 2023, and the minutes from the meeting are pending. He said that the Committee will hold its next regular meeting on Tuesday, November October 28, 2023.

Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chair Martin reported that the Committee last met this evening Tuesday, October 24, 2023, and the minutes from that meeting are on file in the Clerk of Council Office. Chair Martin said that the Committee will hold its next regular meeting on Tuesday, November 28, 2023.

Finance, Civil Service, and Personnel

Finance, Civil Service and Personnel Committee Chair Kiriazis stated that the Committee last met on this evening, October 24, 2023, and the minutes are pending. He said that the Committee will hold its next regular meeting on Tuesday November 14, 2023.

APPOINTMENTS AND CONFIRMATIONS-There were none.

COMMUNICATIONS, PETITIONS AND CLAIMS-Good evening. Mr. Patrick Orwig stated that he is writing to request that his e-mail dated October 21, 2023, be read into the record at the appropriate

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time during the Council meeting scheduled to occur on 10/24/23. Thank you. I am writing to you this evening with an intense anger at the City of Seven Hills that is beyond words. I am here listening to my wife, with tears telling me that she likely wants to sell our home and only wishes we had not invested in the home including the spending on the back garden we have been waiting to install for merely three years.

Over the course of the past two years, we were told the volleyball court could not be moved but we would get arbor vitae or a privacy fence, then later told we would NOT be getting arbor vitae NOR a privacy fence but instead a TALL chain link fence to mitigate the safety concerns. Instead, the city just installed a 6-foot chain link fence.

Thinking we were done and had no further recourse, no support from Council, we designed and budgeted several thousand dollars to clean up the back area of our yard and purchased appropriate plants to mitigate the stupid, annoying and inconsiderate placement of the 4,000 square foot volleyball court 20 feet from our property. Our new garden area was completed on September 27, 2023.

Two weeks later October 12, 2023, the city came and installed about ten of the trees described by Director Burger about 6 feet from the fence. There is no doubt that once again I feel like we are being targeted by this administration. Our selection of plants on our property was deliberately designed to mitigate the court and leave open spaces to maintain some of the desired view of the park area. This design, effort, and expense is now literally sabotaged by the administration. Having been selected based on the condition of our property, our selected plants are likely to not survive a 30-foot wall of trees that is being forced upon us. Based on the size information we have, I believe yet again, something else is being placed too close to our property. *Once again, there was no communication or coordination from the city towards us. Had we known this was going to happen, we would have just planted grass and saved thousands of dollars and hours of research.*

We need assistance with this matter. I refuse to believe that City Council members will again elect to allow it to be OK for the city to mistreat us in this manner, a second time. Please come by and see what has happened at 5733 Skyline, again, The City is acting without regard to our enjoyment of our home. Again, I never thought buying a home here would have been such an utter disappointment.

Please remove these trees or reimburse us for the landscaping we installed 2 weeks prior, to combat the volleyball court placement imposed on us.

The second communication is from Jen Orwig, also residing at 5733 Skyline Drive who requested that her email be read for the record at the City Council meeting taking place on 10/24/23.

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Dear Seven Hills Council members.

I am in disbelief once again. After having an uncomfortable summer, to say the least, on my patio and finally getting a fence (After weeks with none) I was looking forward to installing some private gardens. I would finally have something beautiful to look at (as the sandpit is not and not well maintained). I researched and planned for weeks prior to the fence being done. I spent many hours meeting with people and discussing the best options for me and my family. Finally, the day came, and my excitement was electric. The garden went in, and I was so happy. Finally, something was happening to counter the devastation the installation of the sand pit caused. My husband had been turned down time and again on every front for it to be moved. We were finally able to do something. Life and the enjoyment of it in our backyard would soon happen.

Two weeks after my new garden was installed, I looked out the window to see trees being planted. I could not believe it. I had to be mistaken, but no, trees were planted. In all the discussions trees had never been mentioned. I was once again devastated. All my hard work was to be ruined. My husband contacted Ms. Burger to find out exactly what kind of trees these were. Turns out we got 30 foot tall 15-foot-wide conifers. Conifers, really, of all the things to burden us with. Now not only will my property and my garden not get the morning light, but I will be picking pinecones out of the yard. There are 5 trees along the property line, that is a lot of pinecones. Oh, and by the way, that means the sand pit will be covered in pinecones too.

Please, can any of you please help us. We never asked for the pit, but we are stuck with it. Are we happy, no but we did all we could to have it moved and have found solace in that. We never asked for a privacy fence it was offered (even delivered and our honesty alone is why it was not installed). We never asked for arbor vitae it was offered and then that offer rescinded. Now out of nowhere come enormous trees. We have been told to get others to come and help us that may change minds. The simple fact of the matter is this situation doesn't affect anyone else. Not their right to sunlight or quiet or anything else this pit and trees impose on us. Please remove these 5 trees from our property line. Please give my new garden a chance. Please give me some peace. I am not asking a lot. Please find it in your hearts and minds to help me. I am begging you. I am pleading. Please remove these trees that will kill my garden and take the sun from my yard. I just want to enjoy my tiny piece of the world. It feels like the mayor has done all he can to make this impossible.

Why is there no communication from this administration? Why do you treat anyone who doesn't agree with all your ideas this way? How can you not see how wrong this is? You are taking away the sun from me, the SUN, and giving me pinecones to clean up. Imagine your kids growing up in a yard where once there was sun in the mornings to play in and enjoy and someone taking that from them or you. How would you feel. This has nothing to do with living in a park, because if it did, the whole fence line would be covered in pine trees. This has to do with being a bad neighbor. Do not be that

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bad a neighbor. Remove these five trees that bother only me and my family. Please take a moment and try to understand what a 30-foot messy wall will do to my property.

I thank you for reading my long email and would so greatly appreciate any help with this situation. Please don't take the sun from me, we have so fleetingly few hours here on this earth to enjoy it!!!

COUNCIL OPEN TO THE AUDIENCE ON LEGISLATION ONLY-There were none.

ORDINANCES AND RESOLUTIONS

Motion by Mr. Costanzo, second by Mr. Kiriazis to suspend the rules under the Charter and read Ordinance No. 63-2023 for its third and final reading.

Roll Call: all yeas

MOTION CARRIED

Ordinance No. 63-2023—AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PUBLIC HEALTH SERVICE AGREEMENT WITH THE CUYAHOGA COUNTY BOARD OF HEALTH FOR THE PURPOSE OF PROVIDING PUBLIC HEALTH SERVICES FROM JANUARY 1, 2024, THROUGH DECEMBER 31, 2025; APPROPRIATING AN AMOUNT NOT TO EXCEED \$84,970. FOR CALENDAR YEAR 2024 AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$93,760.00 FOR CALENDAR YEAR 2025.

Motion by Mr. Costanzo, seconded by Mr. Kiriazis to pass Ordinance No. 63-2023.

Roll Call: all yeas

MOTION CARRIED

ORDINANCE NO. 63-2023 IS DECLARED PASSED

Motion by Mr. Morrow, seconded by Mr. Martin to suspend the rules under the Charter and read Ordinance No. 69-2023 by title only for its first and final reading.

Roll Call: all yeas

MOTION CARRIED

Ordinance No. 69-2023-AN ORDINANCE TO APPROPRIATE THE ADDITIONAL SUM OF \$123,101.65 FOR A CHANGE ORDER TO ORDINANCE NO. 57-2023 PASSED BY COUNCIL JULY 25, 2023, WHICH AUTHORIZED AND DIRECTED THE MAYOR TO ENTER INTO AN AGREEMENT WITH JOHNSON LAUX CONSTRUCTION OHIO FOR THE CITY OF SEVEN HILLS SERVICE GARAGE POLE BARN TO CORRECT THE CURRENT ELECTRICAL SAFETY HAZARD AS PROPOSED BY FIRST ENERGY AND DECLARING AN EMERGENCY.

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MOTION by Mr. Morrow, seconded by Mr. Martin to approve the emergency clause found in Section 4 of the Ordinance.

Roll Call: all yeas

MOTION CARRIED

Motion by Mr. Morrow, seconded by Mr. Martin, to pass Ordinance No. 69-2023 as an emergency measure.

Roll Call: all yeas

MOTION CARRIED

ORDINANCE NO. 69-2023 IS DECLARED PASSED

Motion by Mr. Snitzky, seconded by Mr. Kiriazis to suspend the rules of the Council and read Ordinance No. 70-2023 by title only for its first and final reading.

Roll Call: all yeas

MOTION CARRIED

Ordinance No. 70-2023-AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH FLOCK GROUP INC FOR AUTOMATIC LICENSE PLATE DETECTION EQUIPMENT WITH APPURTENANCES AND SERVICES FOR A TWENTY-FOUR MONTH TERM WITH A RENEWAL TERM OF TWENTY-FOUR MONTHS; APPROPRIATING \$31,200.00 FOR SAID EQUIPMENT AND SERVICE; AND DECLARING AN EMERGENCY.

Motion by Mr. Snitzky, seconded by Mr. Kiriazis to approve the emergency clause found in Section 4 of Ordinance No. 70-2023 and the reason why it is an emergency is because the Police Department has requested that this be done as soon as possible.

Roll Call: all yeas

MOTION CARRIED

Motion by Mr. Snitzky, seconded by Mr. Kiriazis to pass Ordinance No. 70-2023 as an emergency measure.

Roll Call: all yeas

MOTION CARRIED

ORDINANCE NO. 70-2023 IS DECLARED PASSED

COUNCIL OPEN TO THE AUDIENCE-Mr. Patrick Orwig of 5733 Skyline Drive said that the earlier comments in the committee meeting and the emails bring a negativity kind of feeling to the room which he senses, and believe it or not I am not typically that person that happens as a result of residents feeling like they are getting bulldozed by the City of Seven Hills, and I think there should be some efforts to avoiding making people feel that way. He explained that he says that with respect, and I ask you to take it into consideration, and I thank you very much.

REPORTS AND COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR- Had no report.

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REPORTS FROM THE DIRECTORS OF DEPARTMENTS AND OTHER OFFICIALS:

- a. Director of Law Moore stated that the Law Department report is on file in the Clerk of Council office.
- b. Director of Public Service & Properties Johnson-Had no report.
- c. City Engineer Schmitzer-No report.
- d. Building Commissioner Grassi reported that the Building Department reviewed and issued 100 permits. He said that they also issued 23 contractors to work in the city. Mr. Grassi explained that we also responded to 27 property maintenance complaints as well as one new rental and one vacant property. He further explained that a new business Black and Veatch specializing in infrastructure development will be occupying a suite at 6000 Lombardo Center. The new business Holy Smokes is now open for business. The NEO Church addition off Elmhurst Drive is in its final stages of construction, and they will be looking to occupy the addition soon. There are no submissions for the November 8th Planning Commission meeting. Likewise, there are no submissions for the Zoning Board of Appeals meeting scheduled for November 15, 2023.

MISCELLANEOUS

Mr. Costanzo wished all the candidate's good luck in the upcoming election.

Mr. Morrow wished his dog Saint happy birthday because he is going to be turning 4 tomorrow. Also, his little boy Theo is almost three months old.

Mr. Martin recognized the presence of our state representative Mr. Richard Del'Aquila who is a former Councilman and Mayor of this city and I appreciate you being here to see what is cooking.

Mr. Snitzky stated that he has been on this council about 10 years where he had a project in his city that was tens of millions of dollars involving around 300 residents, and none of my residents have ever accused me with not communicating with them, and we are talking about big money. He said we are also talking about big disruptions, and he has been on many Councils, and he has seen this Council and this Mayor be more communicative and more transparent in trying to get the word out to people on things that are happening in the city and in their neighborhoods more than any group he has dealt with in city government. Mr. Snitzky explained when someone says that we are not communicating he is sorry, but that is just not true, and that is all that he has to say.

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Mr. Kiriazis explained that he is just finishing up his fourth year on Council, and all the positive things that are going on in the city with the parks and the infrastructure it seems like we have something negative come out of it. He further explained that every time he was contacted by a resident by emails or phone calls, he would always contact them back as soon as possible to try to fix the problem. Mr. Kiriazis pointed out that he thinks this administration and this Council has done a great job, and this is probably one of the better councils in the history of this city, and we have gotten many things done. He thanked Mr. Del’Aquila who is the state representative for the City of Seven Hills for being here this evening and it is nice to see him.

ADJOURNMENT

MOTION by Mr. Kiriazis, seconded by Mr. Snitzky to adjourn the meeting at 6:35 p.m.

ROLL CALL: all yeas

MOTION CARRIED

Phil Kiriazis, President of Council

Attest: _____
Evelyn Gelbman, Clerk of Council

Date: _____
(Transcribed 11/06/23)