

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 26, 2023

The Regular Council Meeting of September 26, 2023, was called to order by President of Council Kiriazis at 7:27 p.m.

PLEDGE OF ALLEGIANCE

ROLL CALL

Present and accounted for were Mayor Biasiotta, Director of Law Moore, Director of Finance Petrunyak, Director of Public Services and Properties Johnson, Councilman-at-Large Elliott, Councilwoman-at-Large Kelly, Councilman-at-Large Costanzo, Ward 1 Councilman Kiriazis, Ward 2 Councilman Martin, Ward 3 Councilman Snitzky, Ward 4 Councilman Morrow, Director of Public Services and Properties Johnson, Building Commissioner Grassi, Engineer Schmitzer.

MOTION by Mr. Kiriazis to excuse Building Commissioner Grassi from the meeting, seconded by Mr. Snitzky.

Roll Call: all yeas.

MOTION CARRIED

MOTION by Mr. Kiriazis, seconded by Mr. Costanzo to waive the 24-hour delivery requirement to put Ordinance No. 68-2023 on the Agenda for this evening's meeting. This would move Resolution No. 6-2023 to number 9-H and Resolution No. 7-2023 to 9-I and Resolution No. 8-2023 to Resolution 9-J.

Roll Call: all yeas.

MOTION CARRIED

READING AND DISPOSAL OF JOURNAL

MOTION by Mr. Snitzky, Seconded by Mr. Kiriazis stated that having read the Council Meeting Minutes of May 16, 2023 and July 11, 2023, found no errors or omissions and therefore, if there is no division of the question, I move to approve as printed. Mr. Kiriazis made the second motion.

Roll Call: all yeas.

MOTION CARRIED

CONSENT AGENDA – There were no submissions.

RESOLUTIONS OF COMMENDATION - There were none.

REPORTS OF COMMITTEES

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Planning, Zoning, and Economic Development

Planning Zoning and Economic Development Chair Snitzky stated that the Committee last met this evening, and the next meeting will be held on October 24, 2023. The minutes will be provided when completed. There are three floor motions for zoning variances on the Agenda this evening.

Public Works

Public Works Committee Chair Costanzo stated that the Committee last met on September 12, 2023 and the minutes from that meeting are on file with the Clerk of Council. Chair Costanzo said that the Committee will hold its next regular meeting on Tuesday, October 10, 2023.

Community Services

Community Services Committee Chair Kelly said that the Committee last met September 12, 2023 and the minutes from that meeting are on file with the Clerk of Council. Chair Kelly said that the Committee will hold its next regular meeting on Tuesday, October 10, 2023.

Police and Safety

Police and Fire Committee Chair Elliott stated that the Committee last met on September 12, 2023, and the minutes from that meeting are on file with the Clerk. Chair Elliott said that the Committee will hold its next regular meeting on Tuesday, October 10, 2023.

Parks and Recreation

Parks and Recreation Committee Chair Morrow stated that the Committee last met on Tuesday, September 26, 2023, and the minutes from that meeting have been submitted to the Clerk of Council. Chair Morrow said that the Committee will hold its next regular meeting on Tuesday, October 24, 2023.

Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chair Martin stated that the Committee last met this evening and the minutes from that meeting are on file with the Clerk of Council. The next meeting is October 24, 2023.

Finance, Civil Service and Personnel Committee Chair Kiriazis stated that the Committee last met this evening. The minutes are pending, and the next meeting will be on October 10, 2023.

APPOINTMENTS AND CONFIRMATIONS – There were none.

COMMUNICATIONS, PETITIONS AND CLAIMS – There were none.

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

ORDINANCES AND RESOLUTIONS

MOTION by Mr. Morrow, seconded by Ms. Kelly to read Ordinance No. 62-2023 by title only for its first and final reading.

Roll Call all yeas

MOTION CARRIED

Ordinance No. 62-2023 - AN ORDINANCE TO APPROVE, ADOPT, AND ENACT THE JULY 2023 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES; TO REPEAL ORDINANCES IN CONFLICT THEREWITH; TO PUBLISH THE ENACTMENT OF NEW MATTER; AND DECLARING AN EMERGENCY.

First Reading

MOTION by Mr. Morrow, seconded by Ms. Kelly to approve the emergency clause in section four of the Ordinance.

Roll Call: all yeas.

MOTION CARRIED

MOTION by Mr. Morrow, seconded by Ms. Kelly to pass Ordinance No. 62-2023.

Roll Call: all yeas.

MOTION CARRIED

ORDINANCE NO. 62-2023 IS DECLARED PASSED.

ORDINANCE NO. 63-2023 WAS READ FOR ITS FIRST READING

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 \$84,970.00 FOR CALENDAR YEAR 2024 AND APPROPRIATING AN AMOUNT NOT TO EXCEED \$93,760.00 FOR CALENDAR YEAR 2025.

First Reading

MOTION by Mr. Costanzo, seconded by Mr. Martin to suspend the rules under the Charter and read Ordinance No. 64-2023 by title only for its first and final reading.

Roll Call: all yeas

MOTION CARRIED

Ordinance No. 64-2023 - AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A 36-MONTH SERVICE AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH SMARTESTENERGY US LLC AT RATES THAT WILL

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BE DETERMINED ON THE DATE THE CONTRACT IS SIGNED IN ORDER TO RECEIVE THE BEST ENERGY SUPPLY RATE (ELECTRIC SUPPLY) FOR THE CITY OF SEVEN HILLS' RECREATION CENTER; AND DECLARING AN EMERGENCY.

First Reading

Motion by Mr. Costanzo, seconded by Mr. Martin to approve the emergency clause in Section 4 of Ordinance No. 64-2023.

Roll Call: all yeas

MOTION CARRIED

MOTION by Mr. Costanzo, seconded by Mr. Martin to pass Ordinance No. 64-2023 as an emergency measure.

Roll Call: all yeas.

MOTION CARRIED

ORDINANCE NO. 64-2023 IS DECLARED PASSED.

MOTION by Mr. Elliot to suspend the rules under the Charter and read Ordinance No. 65-2023 by title only for its first and final reading, seconded by Mr. Kiriazis

Roll Call: all yeas.

MOTION CARRIED

Ordinance No. 65-2023 -- AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A 36-MONTH SERVICE AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH SMARTESTENERGY US LLC AT RATES THAT WILL BE DETERMINED ON THE DATE THE CONTRACT IS SIGNED IN ORDER TO RECEIVE THE BEST ENERGY SUPPLY RATE (ELECTRIC SUPPLY) FOR STREET LIGHTING AT SPECIFIC LOCATIONS THROUGHOUT THE CITY; AND DECLARING AN EMERGENCY.

First Reading

MOTION by Mr. Elliott, seconded by Mr. Kiriazis and Mr. Elliott moved that we approve the emergency clause found in the last section of Ordinance No. 65-2023.

MOTION by Mr. Elliott, seconded by Mr. Kiriazis, to pass Ordinance No. 65-2023.

Roll Call: all yeas.

MOTION CARRIED

ORDINANCE NO. 65-2023 IS DECLARED PASSED.

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Mayor Biasiotta asked Council to make a motion to amend Ordinance No. 66-2023 for the incorrect spelling of the typed word “Mayour” in Ordinance No. 66-2023 to read “Mayor.”

MOTION by Ms. Kelly, seconded by Mr. Kiriazis to amend Ordinance No. 66-2023 for the incorrect spelling of the word “Mayour” in the Ordinance to the correct spelling of the word “Mayor” in Ordinance No. 66-2023.

Roll Call: all yeas

MOTION CARRIED

Revised Ordinance No. 66-2023 -- AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR, OR HIS DESIGNEE, TO ENTER INTO A 36-MONTH SERVICE AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH SMARTESTENERGY US LLC AT A RATE THAT WILL BE DETERMINED ON THE DATE THE CONTRACT IS SIGNED IN ORDER TO RECEIVE THE BEST ENERGY SUPPLY RATE (ELECTRIC SUPPLY) FOR SIXTEEN MISCELLANEOUS LOCATIONS THROUGHOUT THE CITY OF SEVEN HILLS; AND DECLARING AN EMERGENCY. **First Reading**

MOTION by Ms. Kelly, seconded by Mr. Kiriazis to suspend the rules of the Council and read amended Ordinance No. 66-2023 by title only for its first and final reading.

Roll Call: all yeas.

MOTION CARRIED

MOTION by Ms. Kelly, seconded by Mr. Kiriazis moved to pass amended Ordinance No. 66-2023 as an emergency measure.

Roll Call: all yeas

MOTION CARRIED

AMENDED ORDINANCE NO. 66-2023 IS DECLARED PASSED.

MOTION by Mr. Snitzky, seconded by Mr. Costanzo to suspend the rules of Council and read Ordinance No. 67-2023 by title only for its first and final reading,

Ordinance No. 67-2023 -- AN ORDINANCE AUTHORIZING THE MAYOR AND/OR FINANCE DIRECTOR TO ENTER INTO AN ERIE BANK CORPORATE CARD AGREEMENT WITH CNB BANK AND AFFILIATES FOR THE PURPOSE OF ESTABLISHING A CORPORATE VISA CREDIT CARD TO ELIGIBLE CITY EMPLOYEES IN ACCORDANCE WITH THE CITY AND AUDITOR’S GUIDELINES; AUTHORIZING THE MAYOR AND/OR FINANCE DIRECTOR TO SIGN ANY AND ALL DOCUMENTS RELATED TO THE ERIEBANK CORPORATE CARD AGREEMENT; AND DECLARING AN EMERGENCY. **First Reading**

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Roll Call: all yeas.

MOTION CARRIED

MOTION by Mr. Snitzky, seconded by Mr. Costanzo to approve the emergency clause in Section 3 in Ordinance No. 67-2023

Roll Call: all yeas

MOTION CARRIED

MOTION by Mr. Snitzky, seconded by Mr. Costanzo to pass Ordinance 67-2023 as an emergency measure.

ORDINANCE NO. 67-2023 IS DECLARED PASSED.

MOTION by Mr. Costanzo, seconded by Mr. Kiriazis to suspend the rules under the Charter and read Ordinance No. 68-2023 by title only for its first and final reading.

Roll Call: all yeas

MOTION CARRIED

Ordinance No. 68-2023-AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO WITH THE OHIO PATROLMEN’S BENEVOLENT ASSOCIATION (LIEUTENANTS), FOR THE PURPOSE OF MEMORIALIZING WAGE NEGOTIATIONS; AND DECLARING AN EMERGENCY.

MOTION by Mr. Costanzo, seconded by Mr. Kiriazis to approve the emergency clause found in the last section of Ordinance No. 68-2023.

Roll Call: all yeas

MOTION CARRIED

Mr. Elliott excused himself from this vote and requested that his name be removed from the legislation.

Motion by Mr. Costanzo, seconded by Mr. Kiriazis to pass Ordinance No. 68-2023 as an emergency measure.

Roll Call: all yeas

MOTION CARRIED

ORDINANCE NO 68-2023 IS DECLARED PASSED

MOTION by Mr. Martin, seconded by Mr. Kiriazis to suspend the rules of the Council and read Resolution No. 6-2023 by title only for its first and final reading.

Roll Call: all yeas

MOTION CARRIED

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A RESOLUTION APPROVING A LOT SPLIT/CONSOLIDATION PURSUANT TO SEVEN HILLS ORDINANCE 911.002, 3718 KRISTEN COURT (PPN 551-27-057) AND 6530 Ruth Drive (PPN 551-27-058); AND DECLARING AN EMERGENCY.

MOTION by Mr. Martin, seconded by Mr. Kiriazis to approve the emergency clause found in Section 3 of Resolution No. 6-2023.

MOTION by Mr. Martin, seconded by Mr. Kiriazis to adopt Resolution 6-2023 as an emergency measure.

Roll Call: all yeas

MOTION CARRIED

RESOLUTION NO. 06 -2023 IS DECLARED ADOPTED

MOTION by Mr. Elliott, seconded by Mr. Morrow to read Resolution No. 07-2023 by title only for its first and final reading.

Roll Call: all yeas

MOTION CARRIED

Resolution No. 07-2023 -- A RESOLUTION APPROVING A LOT SPLIT/CONSOLIDATION PURSUANT TO SEVEN HILLS ORDINANCE 911.002, PP 552-16-015; AND DECLARING AN EMERGENCY. **First Reading**

MOTION by Mr. Elliott, seconded by Mr. Morrow to approve the emergency clause in the last section of the Resolution.

Roll Call: all yeas.

MOTION CARRIED

MOTION by Mr. Elliott, seconded by Mr. Morrow to adopt Resolution 07-2023 as an emergency measure.

RESOLUTION NO. 07-2023 IS DECLARED ADOPTED

MOTION by Mr. Elliott, seconded by Mr. Morrow to read Resolution No. 08-2023 by title only for its first and final reading.

Resolution No. 08-2023—A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY FISCAL OFFICER; AND DECLARING AN EMERGENCY. **First Reading**

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MOTION by Mr. Elliott, seconded by Mr. Morrow to approve the emergency clause in Section 3 of the Resolution.

Roll Call: all yeas.

MOTION CARRIED

MOTION by Mr. Elliott, seconded by Mr. Morrow to adopt Resolution 08-2023 as an emergency measure.

Roll Call: all yeas

MOTION CARRIED

RESOLUTION NO. 08-2023 IS DECLARED ADOPTED.

COUNCIL OPEN TO THE AUDIENCE - There were none.

REPORTS AND COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR – There were none.

MISCELLANEOUS

- a. **FLOOR MOTION** in the matter of a Variance requested at the August 17, 2023, Zoning Board of Appeals hearing by Charles Romansky, 635 Chestnut Road: A 4’ variance to Ordinance No. 1106.02(c), Driveway Construction, to allow the proposed alteration of the existing driveway and the addition of the driveway to the rear yard to be 1’ off the side yard lot line as depicted on the submitted drawings.

(Variance approval recommended by the Zoning Board of Appeals)

MOTION: by Mr. Snitzky, seconded by Ms. Kelly, to concur with the findings of the Zoning Board of Appeals meeting of August 17, 2023, in granting the variance requests of Charles Romansky, 635 Chestnut Road as stated above.

Roll Call: all yeas

MOTION CARRIED

- b. **FLOOR MOTION** in the matter of a Variance requested at the August 17, 2023, at Zoning Board of Appeals hearing by Caliente Parrish, 802 Primrose Drive: A 96 square foot size variance to Ordinance No. 963.02(b)(6) Accessory Buildings or Uses, Sheds, to allow the placement of a proposed 12’x20’ (240 square foot) accessory building 10’ from the side yard property line as depicted on the submitted drawings parcel is 14,000 square feet).

(Variance approval recommended by the Zoning Board of Appeals)

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MOTION: by Mr. Snitzky, seconded by Ms. Kelly, to concur with the findings of the Zoning Board of Appeals meeting of August 17, 2023, in granting the variance requests of Caliente Parrish, 802 Primrose Drive as stated above.

Roll Call: all yeas

MOTION CARRIED

c. **FLOOR MOTION** in the matter of a Variance requested at the August 17, 2023, meeting of the Zoning Board of Appeals hearing by James Clymer 470 East Meadowlawn Blvd: An 84 square foot variance to Ordinance No. 963.02(a)(1) Accessory Buildings or Uses, to allow the proposed construction of an 884 square foot detached 3 car garage that will replace the existing 1 ½ car garage as depicted on the submitted drawings.

(Variance approval recommended by the Zoning Board of Appeals)

MOTION: by Mr. Snitzky, seconded by Ms. Kelly to concur with the findings of the Zoning Board of Appeals meeting of August 17, 2023, in granting the variance request of James Clymer, 470 East Meadowlawn Blvd as stated above.

Roll Call: all yeas.

MOTION CARRIED

MISCELLANEOUS

Mr. Costanzo had no comments.

Mr. Elliott had no comments.

Mr. Morrow had no comments.

Mr. Martin had no comments.

Mr. Snitzky had no comments.

Ms. Kelly Had no comments.

Mr. Kiriazis Had no comments.

ADJOURNMENT

Mr. Kiriazis asked if there was any other business to be discussed this evening. There being none, he asked for a motion to adjourn.

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MOTION by Mr. Kiriazis, seconded by Ms. Kelly to adjourn at 7:54 p.m.
Roll Call: all yeas.

MOTION CARRIED

Phil Kiriazis, President of Council

Attest: _____
Evelyn Gelbman, Clerk of Council

Date: _____