

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

PLEDGE OF ALLEGIANCE

The Regular Council Meeting of September 27, 2022 was called to order by President of Council Kiriazis with the Pledge of Allegiance at 6:51 p.m. in the City Hall Council Chambers.

ROLL CALL

Present and accounted for were Mayor Biasiotta, Assistant Director of Law DiChiro, Director of Finance Petrunyak, Director of Public Service and Properties Johnson, Councilman-at-Large Elliott, Councilwoman-at-Large Kelly, Councilman-at-Large Kulju, Ward 1 Councilman Kiriazis, Ward 2 Councilman Martin, Ward 3 Councilman Snitzky, Ward 4 Councilman Dell'Aquila.

READING AND DISPOSAL OF JOURNAL

Minutes of the Regular Council Meeting held April 26, 2022

MOTION by Mr. Kulju, seconded by Mr. Kiriazis to accept the April 26, 2022 Council minutes.

Roll Call: all yea.

MOTION CARRIED

CONSENT AGENDA – September 27, 2022

MOTION by Mr. Snitzky, seconded by Mr. Elliot to accept the consent Agenda for September 27, 2022.

Roll Call: all yea.

MOTION CARRIED

RESOLUTIONS OF COMMENDATION

RESOLUTION NO. 17-2022 – A RESOLUTION OF COMMENDATION TO **ALAINA KOSTYACK**, CITY OF SEVEN HILLS HALL OF FAME RESIDENT OF THE MONTH, JULY 2022. First Reading.

RESOLUTION NO. 17-2022 WAS TABLED

RESOLUTION NO. 18-2022 – A RESOLUTION OF COMMENDATION TO **JOAN MASS**, CITY OF SEVEN HILLS HALL OF FAME RESIDENT OF THE MONTH, SEPTEMBER 2022. First Reading.

RESOLUTION NO. 18-2022 WAS TABLED

Ms. Kelly stated that the recipients of Resolution No. 17-2022 and Resolution No. 18-2022 are not.

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

able to attend until the October 25, 2022 Council Meeting.

MOTION by Ms. Kelly, seconded by Mr. Kiriazis to table Resolution No. 17-2022 and Resolution No. 18-2022 until the October 25, 2022 Council Meeting

REPORTS OF COMMITTEES

Planning, Zoning, and Economic Development

Planning, Zoning, and Economic Development Committee Chairman Snitzky stated that the Committee last met on Tuesday, September 27, 2022, and the minutes from that meeting are on file with the Clerk of Council. Mr. Snitzky said that the Committee will hold its next regular meeting on Tuesday, October 25, 2022,

Public Works

Public Works Committee Chair Kulju stated that the Committee last met on September 13, 2022, and the minutes from that meeting are on file with the Clerk of Council. Chair Kulju said that the Committee will hold its next regular meeting on Tuesday, October 11, 2022.

Community Services

Community Services Committee Chair Kelly said that the Committee last met September 13, 2022, 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 11, 2022.

Police and Safety

Police and Fire Committee Chair Elliott stated that the Committee last met on September 13, 2022, and the minutes from that meeting are pending. Chair Elliott said that the Committee will hold its next regular meeting on Tuesday, October 11, 2022.

Parks and Recreation

Parks and Recreation Committee Chair Martin stated that the Committee last met on Tuesday, September 27, 2022, and the minutes from that meeting have been submitted to the Clerk of Council. Chair Martin said that the Committee will hold its next regular meeting on Tuesday, October 25, 2022.

Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chair Dell'Aquila stated that the Committee last met on Tuesday, September 27, 2022, and the minutes from that meeting will be on file with the Clerk of Council. Chair Dell'Aquila said that the Committee will hold its next regular meeting on Tuesday,

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

October 25, 2022.

Finance, Civil Service, and Personnel

Finance, Civil Service and Personnel Committee Chair Kiriazis stated that the Committee last met on September 27, 2022 for a Special Council meeting and held its regular meeting on September 27, 2022. The next meeting will be held on October 11, 2022 and the minutes from that meeting are pending.

APPOINTMENTS AND CONFIRMATIONS

There were none.

COUNCIL OPEN TO THE AUDIENCE ON LEGISLATION ONLY

There were none.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 69-2022 – AN ORDINANCE TO APPROPRIATE THE SUM OF \$5,449,023.51 FOR THE FURNISHING OF ALL LABOR AND PERFORMING ALL WORK FOR THE FIVE-YEAR (1/1/2023 – 12/31/2027) RESIDENTIAL REFUSE COLLECTION AND DISPOSAL, RECYCLING SERVICES AND DISPOSAL OF SOLID WASTES (TWO-DAY COLLECTION) IN THE CITY OF SEVEN HILLS, OHIO; DETERMINING AND ACCEPTING THE BID OF WASTE MANAGEMENT OF GLENWILLOW, OHIO, TO BE THE LOWEST AND BEST BID, THEREFORE; AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A FIVE-YEAR AGREEMENT FOR SAID SERVICES, WITH THE OPTION TO RENEW AND EXTEND THIS AGREEMENT FOR TWO (2) CONSECUTIVE ONE-YEAR TERMS.

Second Reading

ORDINANCE NO. 69-2022 WAS READ FOR ITS SECOND READING.

ORDINANCE NO. 70-2022 – AN ORDINANCE AUTHORIZING AN AGREEMENT WITH CARGILL, INC., FOR THE PURCHASE OF 1,500 TONS OF ROAD SALT THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) CONSORTIUM CONTRACT; AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$70,860.00 FOR SAID PURCHASE DURING THE 2022-2023 WINTER SEASON.

Second Reading.

ORDINANCE NO. 70-2022 WAS READ FOR ITS SECOND READING.

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

ORDINANCE NO. 71-2022 – AN ORDINANCE OF THE COUNCIL OF THE CITY OF SEVEN HILLS, OHIO, CERTIFYING THAT WHEN A MUNICIPAL OBLIGATION WAS INCURRED SUMS WERE LAWFULLY APPROPRIATED IN THE FUNDS TO SATISFY THE OBLIGATION AND SUFFICIENT SUMS CURRENTLY EXIST TO SATISFY THIS OBLIGATION: AND DECLARING AN EMERGENCY. **First Reading.**

MOTION by Mr. Dell’Aquila, seconded by Mr. Martin to suspend the rules of Council and read Ordinance No. 71-2022 by title only for its first and final reading.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Dell’Aquila, seconded by Mr. Martin to approve the emergency clause in Section 4 of the Ordinance. Mr. Dell’Aquila stated the reason for the emergency clause is so that this this administrative matter can be resolved as soon as possible.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Dell’Aquila, seconded by Mr. Martin to pass Ordinance No. 71-2022 as an emergency measure.

Roll Call: all yea.

MOTION CARRIED

ORDINANCE NO. 71-2022 IS DECLARED PASSED

ORDINANCE NO. 72-2022 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A COX BUSINESS COMMERCIAL SERVICES AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH COXCOM, LLC, COX OHIO TELCOM, LLC, OF CLEVELAND, OHIO, FOR THE PURPOSE OF SUPPLYING COX BUSINESS INTERNET, TECHNICAL SUPPORT, CABLE, IP CENTREX COMPLETE PHONE SYSTEM, AND APPURTENANCES, TO THE CITY OF SEVEN HILLS POLICE DEPARTMENT, CITY ADMINISTRATION BUILDING, COMMUNITY RECREATION CENTER, FIRE STATION, AND SERVICE GARAGE; APPROPRIATING THE SUM OF \$25,839.84 ANNUALLY (\$2,153.32 PER MONTH), PLUS THE ADDITIONAL COST OF APPLICABLE TAXES, FEES, ASSESSMENTS OR SURCHARGES, FOR A TWENTY-FOUR MONTH RENEWABLE CONTRACT FOR SAID SERVICE; AND DECLARING AN EMERGENCY.

First Reading.

MOTION by Mr. Kulju, seconded by Ms. Kelly to suspend the rules of Council and read Ordinance No. 72-2022 by title only for its first and final reading.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Kulju, seconded by Ms. Kelly to approve the emergency clause in Section 5 of the Ordinance

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Kulju, seconded by Ms. Kelly to pass Ordinance No. 72-2022 as an emergency

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

measure.

Roll Call: all yea.

MOTION CARRIED

ORDINANCE NO. 72-2022 IS DECLARED PASSED

ORDINANCE NO. 73-2022 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH HUMMEL CONSTRUCTION FOR THE SEVEN HILLS PARKS PHASE 1B AND 2 IMPROVEMENTS (PROJECT No. 21121); APPROPRIATING AN AMOUNT NOT TO EXCEED \$3,117,000.00 FOR SAID SERVICES; AND DECLARING AN EMERGENCY. **First Reading.**

MOTION by Mr. Elliott, seconded by Mr. Dell’Aquila to suspend the rules of Council and read Ordinance No. 73-2022 by title only for its first and final reading.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Elliott, seconded by Mr. Dell’Aquila to approve the emergency clause in Section 4 of the Ordinance.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Elliott, seconded by Mr. Dell’Aquila to pass Ordinance No. 73-2022 as an emergency measure.

Roll Call: all yea.

MOTION CARRIED

ORDINANCE NO. 73-2022 IS DECLARED PASSED

Mayor Biasiotta’s comments on Ordinance No. 73-2022

This is an important ordinance for our City. The Mayor said when he walked his Ward he received valuable feedback and it is crystal clear that we should focus on streets, sewers and the parks. We have made multimillion dollar improvements and there wasn’t much left for the parks. We had an

expiring bond levy for the rec center. We took those funds to use for the parks and lowered the taxes and it opened up possibilities for the parks thanks to the people on the dais. Thanks to the fabulous staff who did the tunnel work today. This Ordinance represents three-fourths of our Master Plan and brings us closer to the big improvements to North Park and to Calvin Park.

ORDINANCE NO. 74-2022 -- AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH SNIDER RECREATION

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

INC., OF NORTH ROYALTON, OHIO, FOR THE PURPOSE OF PURCHASING PLAYGROUND EQUIPMENT, WITH APPURTENANCES, THAT WILL BE INSTALLED AT NORTH PARK IN THE CITY OF SEVEN HILLS, THROUGH THE OHIO STATE CONTRACT TERM 800702; APPROPRIATING THE SUM OF \$163,715.00 FOR SAID PURCHASE; AND DECLARING AN EMERGENCY. **First Reading.**

MOTION by Mr. Snitzky seconded by Mr. Kiriazis to suspend the rules of Council and read Ordinance No. 74-2022 by title only for its first and final reading.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Snitzky, seconded by Mr. Kiriazis to approve the emergency clause in Section 4 of the Ordinance.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Elliott, seconded by Mr. Dell'Aquila to pass Ordinance No. 74-2022 as an emergency measure.

Roll Call: all yea.

MOTION CARRIED

Mr. Snitzky stated that the reason for the emergency is that the cost of items continues to go up and the City wants to purchase the items as soon as possible.

ORDINANCE NO. 74-2022 IS DECLARED PASSED

ORDINANCE NO. 75-2022 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH SNIDER RECREATION INC., OF NORTH ROYALTON, OHIO, FOR THE PURPOSE OF PURCHASING FITNESS EQUIPMENT, WITH APPURTENANCES, THAT WILL BE INSTALLED AT NORTH PARK IN THE CITY OF SEVEN HILLS, THROUGH THE OHIO STATE CONTRACT TERM 800702; APPROPRIATING THE SUM OF \$52,968.00 FOR SAID PURCHASE; AND DECLARING AN EMERGENCY. **First Reading.**

MOTION by Mr. Martin, seconded by Mr. Elliott to suspend the rules of Council and read Ordinance No. 75-2022 by title only for its first and final reading.

Roll Call: all yea.

MOTION CARRIED

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

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Martin, seconded by Mr. Elliott to pass Ordinance No. 75-2022 as an emergency measure.

Roll Call: all yea.

MOTION CARRIED

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

ORDINANCE NO. 75-2022 IS DECLARED PASSED

Mayor Biasiotta stated that the purchase price of \$50,000., is a great price for the cost of the fitness equipment.

ORDINANCE NO. 76-2022 – AN ORDINANCE APPROPRIATING AN ADDITIONAL SUM OF \$44,850.15 FOR A CHANGE ORDER TO ORDINANCE NO. 20-2022, PASSED BY COUNCIL MARCH 29, 2022, AND WHICH AUTHORIZED AN INITIAL AMOUNT OF \$2,047,476.93 TO SPECIALIZED CONSTRUCTION FOR THE ‘2022 PAVEMENT REHABILITATION PROGRAM’ IN THE CITY OF SEVEN HILLS; AND DECLARING AN EMERGENCY. **First Reading.**

MOTION by Ms. Kelly, seconded by Mr. Snitzky to suspend the rules of Council and read Ordinance No. 76-2022 by title only for its first and final reading.

Roll Call: all yea.

MOTION CARRIED

MOTION by Ms. Kelly, seconded by Mr. Snitzky to approve the emergency clause in Section 3 of the Ordinance

Roll Call: all yea.

MOTION CARRIED

MOTION by Ms. Kelly, seconded by Mr. Snitzky to pass Ordinance No. 73-2022 as an emergency measure.

Roll Call: all yea.

MOTION CARRIED

ORDINANCE NO. 76-2022 IS DECLARED PASSED

RESOLUTION NO. 19-2022 – A RESOLUTION ADOPTING THE CUYAHOGA COUNTY 2022-2027 ALL-HAZARDS MITIGATION PLAN; AND DECLARING AN EMERGENCY. **First Reading.**

MOTION by Mr. Kulju, seconded by Mr. Kiriazis to suspend the rules of Council and read Ordinance No. 19-2022 by title only for its first and final reading.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Kulju, seconded by Mr. Kiriazis to approve the emergency clause in Section 5 of the Ordinance

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Kulju, seconded by Mr. Kiriazis to pass Ordinance No. 19-2022 as an emergency measure.

Roll Call: all yea.

MOTION CARRIED

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

ORDINANCE NO. 19-2022 IS DECLARED PASSED

Resolution No. 20-2022 – 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**

MOTION by Mr. Dell’Aquila seconded by Ms. Kelly to suspend the rules of Council and read Ordinance No. 76-2022 by title only for its first and final reading.

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Dell’Aquila, seconded by Ms. Kelly to approve the emergency clause in Section 3 of the Ordinance

Roll Call: all yea.

MOTION CARRIED

MOTION by Mr. Dell’Aquila, seconded by Ms. Kelly to pass Ordinance No. 73-2022 as an emergency measure.

Roll Call: all yea.

MOTION CARRIED

ORDINANCE NO. 20-2022 IS DECLARED PASSED

COUNCIL OPEN TO THE AUDIENCE

Paul Sambor

112 Ridgeview Drive
Seven Hills

Mr. Sambor will be affected by Charley Cheesesteak that is coming to the City in the former Dairy Queen location. He stated that it is a fast-food restaurant. On the second page, it states that parcel four is not to be a drive-thru restaurant in this district. In this area, drive-thru windows are not permitted. Charley’s Cheesesteak will not be a drive-thru restaurant. It is a curbside pickup.

Mr. Sambor stated his concerns regarding the lighting on the side of the building and wants it to be included with the sign lighting. He would like the signage to be put on hold until there is a resolve. Mr. Elliott stated that this matter should be in Planning or Zoning and not us.

Mr. Larry Lechko

1122 Primrose
Seven Hills

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

He has a problem with a contractor regarding gutters that were installed. There was no building permit issued and the contractor was not registered with the City. He was informed that his only option is to file a civil suit.

Ms. Kelly added that he could file a complaint with the Attorney General's office or the Better Business Bureau.

Mr. Martin wanted to know what the sanctions are with the City of Seven Hills for the homeowner for the contractor not registering with the City. Mr. Grassi said the registration protects the homeowner and that is why the permit should be pulled the homeowner needs to check with the Building Department to be sure a permit was pulled in case something goes a foul. That way we can then go back to the contractor .

Mayor Biasiotta said how can the City inspect something when we do not know it is happening? The City is out of the picture when a building permit was not issued. Our Law Department is checking on what we can do to go after the contractor for working without a permit.

The Building Commissioner is looking at what ramifications we can take with the contractor. There is a penalty for doing what your contractor did and the Mayor is happy to help and make a phone call.

Mr. Patrick Orwig

3733 Skyline Drive
Seven Hills

At the last Council meeting Mr. Orwig conveyed his concerns that he has not received any response to his concerns and has not received a response from the Law Director on his public records request.

Law Director Chiro said that there was a public records request and there were some records that were not available.

Mayor Biasiotta addressed the volleyball courts. Over a year ago, it was decided that the volleyball courts were too close to the parking lot and they were moved northward and it put

them in Mr. Orwig's backyard. The Mayor said that he understands that the situation has changed since he moved in and I thought that we could put up a tall fence. The Orwig's' came back about

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

making more amenity changes. We will continue to monitor the situation and I will honor the third public records request to see that it is met.

REPORTS AND COMMUNICATIONS FROM THE MAYOR/SAFETY DIRECTOR

The Mayor addressed the August financials and the updates are as follows:

The City's General Fund – unexpended cash balances is \$8.56 million.

Our August General Fund year-to-date revenue is at \$9.3 million vs. general fund expenses of \$7.9. million.

We are forecasting to finish the year with a surplus of around \$1million. I will be asking Council to set aside and dedicate this money to our capital improvement fund where it can be applied to projects such as our 2023 road program.

Fabulous job on the grants and we talked about some of the noise from the volleyball courts. We will put up a privacy fence that will act as a sound barrier. I thought this showed good faith on the City's part to put up a privacy fence on his yard and the neighbors.

Since the last meeting, the Mayor stated that he went out to the park, and wanted to see if Mr. Orwig was being inconvenienced more than any other residents. The Mayor showed pictures of the backyard of the homes on the streets. In other residents' backyard there are other sports taking place and the people north of the volleyball courts and the resident' on the northern end of the ball fields and the distances between the backwards and they are one-third closer.

I have come to the conclusion that the volleyball courts pose no greater inconvenience to the other residents who purchased their home on a public park. I am disappointed that it was stated that we have done nothing. We have offered to put up a privacy fence. And we are of them earlier. Our Master Plan so far, we have obtained \$757,000. In grants from six different funding sources totaling \$1.4. million

in a little over two years and that is just the portion dedicated to the parks. Thank you to our team and to Council for your support. Thank you.

REPORTS FROM THE DIRECTORS OF DEPARTMENTS AND OTHER OFFICIALS

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

Director of Finance Johnson – He had no report.

Director of Law – Mr. DiChiro stated that Charley’s Cheesesteak will not be a drive thru restaurant and they are meeting our regulations.

Director of Public Service & Properties Johnson – He had no report.

City Engineer Schmitzer – He had no report.

Building Commissioner Grassi – He had no report.

MISCELLANEOUS

1. **FLOOR MOTION** in the matter of a **Variance** requested at the September 14, 2022 **Zoning Board of Appeals** Meeting by **Jason William Ryan**, of 1519 East Sprague Road:

A 544 square-foot size variance to Ordinance No. 963.02(b)(6), Accessory Buildings or Uses, Storage Shed, to allow the property owner to construct a proposed 20’ x 40’ (800 square foot) Accessory Building 30-feet off the rear yard lot line and 10-feet off the westerly side yard lot line on a parcel that is 29,160 square feet, as depicted on the submitted drawing.

Roll Call: all yea.

(Variance Approved by Zoning Board)

MOTION by Mr. Snitzky, seconded by Mr. Dell’Aquila to concur with the decision of the Zoning Board of Appeals to grant the applicant in granting the variance of applicant Jason William Ryan.

FLOOR MOTION: by Mr. Snitzky, seconded by Mr. Dell’Aquila to concur with the findings of the Zoning Board of Appeals on September 13, 2022, recommending approval of the proposed variance as requested above by Mr. Jason William Ryan of 1519 East Sprague Road.

Mr. Martin is concerned about this variance for the nonconforming addition that is planned for a new storing shed. The parcel is not large enough for a building of this size and there is no justification for a building of this size. Mr. Snitzky stated that the Zoning Board did request a

reduction in the size and that was approved 100 percent by the Zoning Board of Appeals.

Mr. Dell’Aquila shares Mr. Martin’s concerns about the size of the variance. He would like to see the motion tabled until the next meeting. Mr. Martin feels the request should have been rejected the first time it was submitted. Mr. Martin feels we will be setting a bad precedence.

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

Mr. Dell'Aquila suggested to withdraw the motion and table the matter until the next meeting and find out how the Zoning Board came to their decision.

MOTION by Mr. Snitzky, seconded by Mr. Dell'Aquila to table the variance request for 1519 E. Sprague Road.

ROLL CALL: all yea

MOTION CARRIED

2. **FLOOR MOTION** in the matter of a **Variance** requested at the September 14, 2022 **Zoning Board of Appeals** Meeting by **Robert Matson**, of 7475 Broadview Road:

A 15.97 square-foot size variance to Ordinance No. 171.09(b)(2), to allow the proposed maximum sign face area of the wall sign on the unit of Charlie's Cheesesteaks and Wings to be 38.37 square-feet, as depicted on the submitted drawings. **(Variance Approved by Zoning Board)**

MOTION by Mr. Snitzky, seconded by Mr. Dell'Aquila to concur with the decision of the Zoning Board of Appeals to grant the applicant in granting the variance of the applicant Robert Matson, 7475 Broadview Road.

FLOOR MOTION BY Mr. Snitzky, seconded by Mr. Dell'Aquila to concur with the findings of the Zoning Board of Appeals in recommending approval of the proposed variance by Mr. Robert Matson, 7475 Broadview Road.

ROLL CALL: all yea.

**MOTION CARRIED
VARIANCE GRANTED**

3. **FLOOR MOTION** in the matter of a **Variance** requested at the September 14, 2022 **Zoning Board of Appeals** Meeting by **Aunchalin Teeranijviriya**, of 577 North Skyline Drive:

A 48 square-foot size variance to Ordinance No. 963.02(b)(6) and 963.02(b)(1), Accessory Buildings or Uses, Storage Shed, to allow the property owner to construct a proposed 12' x 16' (192 square foot) shed 3'8" off the side yard lot line, as depicted on the submitted drawings.

ROLL CALL: all yea.

(Variance Approved by Zoning Board)

Mr. Grassi stated that this shed was already built and it exceeds our allowed amount for a shed. They applied for a permit and Mr. Grassi denied it, but the shed was already built.

They were to apply for a variance and to make it the proper size according to our codes.

Ms. Kelly stated that we are not getting enough information. Mr. Snitzky said that he would see that Council receives the minutes from the Planning Commission and Board of Zoning Appeals.

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

Mr. Elliott said we need to follow the laws. He would like to see this variance tabled.

MOTION by Mr. Snitzky, seconded by Mr. Martin to withdraw the motion for the variance request by Aunchalin Teeranjiviriya of 577 North Skyline Drive.

ROLL CALL: all yea.

MOTION CARRIED

MOTION by Mr. Snitzky, seconded by Mr. Dell'Aquila to table the request by Aunchalin Teeranjiviriya of 577 North Skyline Drive.

ROLL Call: all yea.

MOTION CARRIED

MISCELLANEOUS COMMENTS

MR. ELLIOTT stated that it is not the city's responsibility to hire the proper contractors. We need to go after the residents. We can't permit the residents to build whatever they want.

MR. DELL'AQUILA is interested in reviewing the minutes of the Planning and Zoning Board for that meeting. Inaudible.

MR. MARTIN Thanked Ms. Burger and her team on securing the grants and appreciates her efforts on the leverage of the monies.

MR. SNITZKY had no comments.

MS. KELLY had no comments.

MAYOR BIASIOTTA Mayor stated that it is the proper protocol and has been for Council and the Mayor to receive the minutes. He hopes that within the month he will come with a candidate for our Law Director position.

The Mayor stated that we are having more variances and he understands all the points, but there have been no updates since 1983. It might be a good time for me to challenge Council, who creates the Zoning regulations, to bring them up to date. Zoning is a legislative process and I encourage you to take up the matter of updating our zoning codes.

Concerning the resignation of Chris Tobin, the City did advertise the position, but we received no responses.

Mr. Martin stated that concerning the updating of the 1983 Zoning Code that we are amateurs and

City of Seven Hills

Record of Minutes of the

REGULAR COUNCIL MEETING HELD – SEPTEMBER 27, 2022

there are professionals to assist us in the rework and assist in bringing it current.

Mr. Kiriazis stated that he has a contact and has been trying to meet with him the Building Commissioner and Chairman Foley of the Planning Commission and our new Chief of Staff Dave Bortolotto. Mr. Bortolotto recommended him, and he worked with him in the City of Middleburg Heights. It is in the works.

Mr. Dichiro stated that Mr. Martin is correct that they are an advisory board and I think that transcripts are a good idea and Teri Matson serves as the Board's secretary. He will inquire about the distribution of the minutes.

ADJOURNMENT - Mr. Kiriazis made a motion to adjourn at 8:31 p.m., seconded by Mr. Elliott.

Roll Call: all yea.

MOTION CARRIED

Phil Kiriazis, President of Council

Attest: _____
Carol L. Sekerak, Clerk of Council

Date: _____

Transcribed 10/27/2022
Judy Goslin, Assistant Clerk of Council