

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD February 25, 2013

This Regular Council Meeting was called to order by Council President Michael C. Barth at 8:00 p.m. with the Pledge of Allegiance.

ROLL CALL

Present and accounted for were Mayor Dell'Aquila, Director of Law Pignatiello, Director of Finance Johnson, Councilman-at-Large Bentkowski, Councilman-at-Large Snitzky, Councilman-at-Large Trafis, Ward 1 Councilman Barth, Ward 2 Councilman Tripi, Ward 4 Councilman Draganic, Director of Public Service and Properties Lovece, and Engineer Papke. Absentees were Ward 3 Councilwoman Lecznar and Building Commissioner Moro.

Council President Barth stated, for the record, that he would be excusing Councilwoman Caryl Lecznar this evening; he said Mrs. Lecznar is out of State on vacation.

READING AND DISPOSAL OF JOURNAL

MOTION by Mr. Tripi, seconded by Mr. Barth, to accept the Minutes of the Regular Council Meeting held February 11, 2013, and to accept the Minutes of the Special Council Meeting held February 19, 2013, as printed, if there is no division of the question.

Roll Call: all yea

MOTION CARRIED

CONSENT AGENDA

MOTION by Mr. Barth, seconded by Mr. Tripi, to accept the Consent Agenda of February 25, 2013, as printed, if there is no division of the question.

Roll Call: all yea

MOTION CARRIED

RESOLUTIONS OF COMMENDATION

There were no Resolutions of Commendation.

REPORTS OF COMMITTEES

Planning, Zoning, and Economic Development

Planning, Zoning, and Economic Development Chairman Trafis stated that the Committee last met on Tuesday evening, February 19, 2013, and the minutes from that meeting are on file with the Clerk of Council.

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Mr. Trafis stated that the Planning, Zoning, and Economic Development Committee will hold its next regular meeting on Monday evening, March 18, 2013.

Public Works

Public Works Chairman Bentkowski stated that the Committee last met on Monday evening, February 4, 2013, and the minutes from that meeting are on file with the Clerk of Council.

Mr. Bentkowski stated the Public Works Committee will hold its next regular meeting on Monday evening, March 4, 2013.

Community Services

Community Services Chairman Snitzky stated that the Committee last met on Monday evening, February 4, 2013, and the minutes from that meeting are on file with the Clerk of Council.

Mr. Snitzky stated that the Community Services Committee will hold its next regular meeting on Monday evening, March 4, 2013.

Police and Fire

Police and Fire Committee Chairman Draganic stated that the Committee will hold its next regular meeting on Monday evening, March 18, 2013.

Parks and Recreation

Parks and Recreation Committee Chairman Tripi stated that the Committee last met on Tuesday evening, February 19, 2013, and he believed the minutes from that meeting were on file with the Clerk of Council. Mr. Tripi said he would double check that, as he had no legislation that day.

Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chairperson Lecznar was not present; there was no report from Mrs. Lecznar's Rules Committee.

Finance, Civil Service, and Personnel

Finance, Civil Service, and Personnel Chairman Barth stated that the Finance Committee conducted Budget Hearings on Saturday, February 16, 2013. Mr. Barth said that the minutes from the Budget Hearings were recorded and they are available with the Clerk of Council.

Chairman Barth stated that the Finance Committee last met on Tuesday evening, February 19, 2013, 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, March 4, 2013.

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APPOINTMENTS AND CONFIRMATIONS

There were no appointments or confirmations.

COMMUNICATIONS, PETITIONS, AND CLAIMS

There were no communications, petitions, or claims.

COUNCIL OPEN TO THE AUDIENCE ON LEGISLATION ONLY

There were no questions or comments from the audience.

ORDINANCES AND RESOLUTIONS

Ordinance No. 9-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN ANNUAL PROFESSIONAL SERVICES CONTRACT WITH CHALLENGER SPORTS CORPORATION FOR THE PURPOSE OF PROVIDING A 2013 INSTRUCTIONAL SOCCER CAMP AT THE CITY OF SEVEN HILLS SOCCER FIELDS.

MOTION by Mr. Draganic, seconded by Mr. Bentkowski, to read Ordinance No. 9-2013 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 9-2013 was read by full title only for its third and final reading.

MOTION by Mr. Draganic, seconded by Mr. Bentkowski, to pass Ordinance No. 9-2013.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 9-2013 IS DECLARED PASSED.

Ordinance No. 10-2013 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH WESTLAND HEATING AND AIR CONDITIONING OF AVON, OHIO, FOR THE PURPOSE OF MAINTAINING THE HVAC EQUIPMENT FOR ONE YEAR AT THE CITY OF SEVEN HILLS RECREATION CENTER FOR AN AMOUNT NOT TO EXCEED \$2,800.00 FOR SAID SERVICE.

MOTION by Mr. Bentkowski, seconded by Mr. Draganic, to read Ordinance No. 10-2013 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 10-2013 was read by full title only for its third and final reading.

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MOTION by Mr. Bentkowski, seconded by Mr. Draganic, to pass Ordinance No. 10-2013.
Roll Call: all yea **MOTION CARRIED**

ORDINANCE NO. 10-2013 IS DECLARED PASSED.

Ordinance No. 11-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN ANNUAL PROFESSIONAL SERVICE CONTRACT WITH FIVE-STAR GYMNASTICS, LLC FOR THE PURPOSE OF PROVIDING CHEER/DANCE/TUMBLE INSTRUCTION CLASSES AT THE CITY OF SEVEN HILLS RECREATION CENTER WITH 30% OF THE REVENUES GENERATED BEING PAID TO THE CITY OF SEVEN HILLS.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to read Ordinance No. 11-2013 by title only for its third and final reading.
Roll Call: all yea **MOTION CARRIED**
Ordinance No. 11-2013 was read by full title only for its third and final reading.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to pass Ordinance No. 11-2013.
Roll Call: all yea **MOTION CARRIED**

ORDINANCE NO. 11-2013 IS DECLARED PASSED.

Ordinance No. 12-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN ANNUAL PROFESSIONAL SERVICES CONTRACT WITH THE PART-TIME PROGRAM INSTRUCTOR/S AT THE CITY OF SEVEN HILLS COMMUNITY RECREATION COMPLEX FOR THE PURPOSE OF PROVIDING VARIOUS CLASSES AT THE CITY OF SEVEN HILLS RECREATION CENTER FOR THE PERIOD COVERING JANUARY 1, 2013 THROUGH DECEMBER 31, 2013.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to read Ordinance No. 12-2013 by title only for its third and final reading.
Roll Call: all yea **MOTION CARRIED**
Ordinance No. 12-2013 was read by full title only for its third and final reading.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to pass Ordinance No. 12-2013.
Roll Call: all yea **MOTION CARRIED**

ORDINANCE NO. 12-2013 IS DECLARED PASSED.

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Ordinance No. 16-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH RESOURCE INTERNATIONAL, INC., OF CLEVELAND, OHIO, FOR AN AMOUNT NOT TO EXCEED \$7,615.00 TO PERFORM A SUBSURFACE INVESTIGATION FOR THE PROPOSED PINNACLE PARK AND OLD ROCKSIDE ROAD IMPROVEMENTS IN THE CITY OF SEVEN HILLS.

Ordinance No. 16-2013 was read by full title only for its second reading.

Ordinance No. 17-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH BURGESS & NIPLE OF PAINESVILLE, OHIO, FOR AN AMOUNT NOT TO EXCEED \$18,150.00 FOR PROFESSIONAL SERVICES TO DESIGN THE INTERSECTION TRAFFIC SIGNAL AT ROCKSIDE ROAD AND PINNACLE PARK (PINNACLE PARK/OLD ROCKSIDE ROAD TIF PROJECT) IN THE CITY OF SEVEN HILLS, OHIO.

Ordinance No. 17-2013 was read by full title only for its second reading.

Ordinance No. 18-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH EAGLE EYE SURVEYING OF SEVEN HILLS, OHIO, FOR AN AMOUNT NOT TO EXCEED \$6,655.00 FOR SERVICES PROVIDED FOR A TOPOGRAPHIC SURVEY OF OLD ROCKSIDE ROAD AND PINNACLE PARK DRIVE (TIF PROJECT); DRAFT BASE MAPS; ATTEND MEETINGS AND ASSIST WITH PROJECT PLAN DEVELOPMENT.

Ordinance No. 18-2013 was read by full title only for its second reading.

Amended Ordinance No. 19-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A MEMORANDUM OF UNDERSTANDING ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH THE CUYAHOGA SOIL AND WATER CONSERVATION DISTRICT, FOR THE PURPOSE OF WORKING WITH THE CITY OF SEVEN HILLS FOR EFFECTIVE COLLABORATION IN CARRYING OUT MANDATED RESPONSIBILITIES, ESPECIALLY RELATED TO NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM RULES, AND APPROPRIATING THE SUM NOT TO EXCEED THREE THOUSAND DOLLARS (\$3,000.00) FOR SAID SERVICE; AND DECLARING AN EMERGENCY.

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MOTION by Mr. Tripi, seconded by Mr. Snitzky, to read Amended Ordinance No. 19-2013 by title only for its final reading.
Roll Call: all yea **MOTION CARRIED**
Amended Ordinance No. 19-2013 was read by full title only for its final reading.

MOTION by Mr. Tripi, seconded by Mr. Snitzky, to pass Amended Ordinance No. 19-2013 as an emergency measure.
Roll Call: all yea **MOTION CARRIED**

AMENDED ORDINANCE NO. 19-2013 IS DECLARED PASSED

Ordinance No. 20-2013 – AN ORDINANCE ENACTING NEW CHAPTER 711, ENTITLED “STREET NAMES”, IN TITLE ONE, STREETS AND SIDEWALKS, OF PART SEVEN, STREETS AND PUBLIC SERVICES CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF REGULATING THE NAMING OF STREETS WITHIN THE CITY OF SEVEN HILLS.

Ordinance No. 20-2013 was read by full title only for its second reading.

Ordinance No. 21-2013 – AN ORDINANCE TO AMEND SECTION 1125.07, CONSTRUCTION FEE SCHEDULE, AS CONTAINED IN TITLE THREE, LOCAL BUILDING PROVISIONS, OF PART ELEVEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF MODIFYING CHAPTER 1125, PLANS, PERMITS, AND FEES.

Ordinance No. 21-2013 was read by full title only for its second reading.

Ordinance No. 22-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH NORTHCOAST PROMOTIONS, INC., FOR THE PURPOSE OF RECRUITING, CONTRACTING, AND MANAGEMENT OF CRAFT, ART, AND COMMERCIAL EXHIBITORS FOR THE CITY OF SEVEN HILLS HOMEDAYS 2013.

Ordinance No. 22-2013 was read by full title only for its second reading.

Ordinance No. 23-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH NORTHCOAST PROMOTIONS, INC., FOR THE PURPOSE OF RECRUITING, CONTRACTING, AND MANAGEMENT OF CRAFT, ART, AND COMMERCIAL EXHIBITORS FOR THE CITY OF SEVEN HILLS FALL FESTIVAL AND CHILI COOK-OFF CRAFT SHOW 2013.

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Ordinance No. 23-2013 was read by full title only for its second reading.

Ordinance No. 24-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH NORTHCOAST PROMOTIONS, INC., FOR THE PURPOSE OF RECRUITING, CONTRACTING, AND MANAGEMENT OF CRAFT, ART, AND COMMERCIAL EXHIBITORS FOR THE CITY OF SEVEN HILLS WINTER CRAFT SHOW AND VFW CHILDREN’S CHRISTMAS PARTY ON DECEMBER 8, 2013.

Ordinance No. 24-2013 was read by full title only for its second reading.

Ordinance No. 26-2013 – AN ORDINANCE TO AMEND THE APPROPRIATIONS OF THE CITY OF SEVEN HILLS, OHIO, FOR THE YEAR ENDING DECEMBER 31, 2013.

Ordinance No. 26-2013 was read by full title only for its first reading.

Ordinance No. 27-2013 – AN ORDINANCE TO APPROPRIATE A SUM NOT TO EXCEED \$3,320.00 FOR THE PURCHASE OF ONE (1) HDS745 HOT WATER WASHER WITH HOSE REEL, HOSE REEL MOUNTING KIT, TURBO NOZZLE, AND APPURTENANCES, FOR USE IN THE SERVICE DEPARTMENT OF THE CITY OF SEVEN HILLS, OHIO, SAID PURCHASE TO BE MADE FROM CROWN CLEANING SYSTEMS OF CLEVELAND, OHIO; AND DECLARING AN EMERGENCY.

MOTION by Mr. Bentkowski, seconded by Mr. Draganic, to read Ordinance No. 27-2013 by title only for its final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 27-2013 was read by full title only for its final reading.

MOTION by Mr. Bentkowski, seconded by Mr. Draganic, to pass Ordinance No. 27-2013 as an emergency measure.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 27-2013 IS DECLARED PASSED.

Ordinance No. 28-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A “LICENSE AGREEMENT FOR POLE ATTACHMENT” ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH THE ILLUMINATING COMPANY IN ORDER TO PLACE THE WIRES FOR THE CROSSVIEW INTERCONNECT ON CEI’S POLES; AND DECLARING AN EMERGENCY.

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MOTION by Mr. Draganic, seconded by Mr. Bentkowski, to read Ordinance No. 28-2013 by title only for its final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 28-2013 was read by full title only for its final reading.

MOTION by Mr. Draganic, seconded by Mr. Bentkowski, to pass Ordinance No. 28-2013 as an emergency measure.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 28-2013 IS DECLARED PASSED.

Amended Resolution No. 1-2013 – A RESOLUTION SUPPORTING THE DEVELOPMENT AND INITIATIVE OF A “SAFE ROUTES TO SCHOOL TRAVEL PLAN” COMMITTEE; AND DECLARING AN EMERGENCY.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to read Amended Resolution No. 1-2013 by title only for its final reading.

Roll Call: all yea

MOTION CARRIED

Amended Resolution No. 1-2013 was read by full title only for its final reading.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to adopt Amended Resolution No. 1-2013 as an emergency measure.

Mr. Snitzky stated:

“I just want to say that I drive down Hillside Road every day and I see the kids come up that hill on occasion going to school. I’m glad to see this in there, because I would really like to see them develop some type of a safe route underneath the power lines back there but going from the new development up to Hillside Middle School. I think this is a really good idea.”

Roll Call: all yea

MOTION CARRIED

AMENDED RESOLUTION NO. 1-2013 IS DECLARED ADOPTED.

COUNCIL OPEN TO THE AUDIENCE

There were no questions or comments from the audience.

MISCELLANEOUS

Mr. Tripi:

I have no miscellaneous other than to say it’s always a pleasure when I see residents in the audience. We’re tortured up here – you guys get to be tortured right along with us. It’s always a pleasure when people come and partake. I appreciate your presence.

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Mr. Trafis:

I have a few floor motions tonight. At the Zoning Board of Appeals Meeting of February 6, 2013, three variance requests were approved by the Board. I'm going to go through them one at a time for Council's approval or denial.

At the February 6, 2013 Zoning Board of Appeals Meeting, the Board made the following motion regarding a variance request heard:

“Should the applicants, John and Jacqueline Millard, property owners of 940 Starlight Drive, be granted a variance to Ordinance No. 1143.08(b)(2) to allow the homeowners' recreational vehicle, which is 24-31' in length but does not exceed 40' in total length, to be stored on the driveway of the home forward of the front building line and at least 20 feet from the pavement of the street from the 2nd weekend of April to the 1st weekend of November for only as long as the applicant owns and resides in the home.

Roll Call: 4 yea, 1 nay

Motion Approved”

MOTION

by Mr. Trafis, seconded by Mr. Snitzky, to concur with the findings of the Zoning Board of Appeals of February 6, 2013, in granting the variance request of John and Jacqueline Millard of 940 Starlight Drive, to Ordinance No. 1143.08(b)(2), Parking of Recreational Vehicles, to allow a recreational vehicle (camper), which is 24-31 feet in length but does not exceed 40 feet in total length, to be stored on the driveway of the home forward of the front building line and at least 20 feet from the pavement of the street, from April 1st to approximately November 3rd of each year, for as long as John and Jacqueline Millard own and reside at 940 Starlight Drive.

Mr. Draganic stated:

“This is an issue I've had a pretty strong voice on in Council discussions. I attended the variance hearing on this and the other two that we're about to hear. Unlike most variances, most variances never expire. Once one is granted to a piece of property, it stays with the piece of property indefinitely. My suggestion during that hearing was that these variances be limited to some amount of time, have an expiration date. Unfortunately, I couldn't stay until the conclusion of the hearing as I had another commitment, so I wasn't privy to the specific language that was crafted at the time the vote was taken later on in the evening. It would have been my suggestion to have added that the variance granted be specific to the vehicle for which the variance was requested. And I would ask that the Zoning Board of Appeals in the future take that into consideration for some obvious reasons as to what can change over the course of time.”

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Mr. Draganic continued:

“These variances in particular that people are given for as long as a person lives in the house – it could be another fifty years, and who knows what a vehicle might be replaced with over that forty or fifty years in the future. So I think it’s a little more prudent to add in some language restricting it to a specific vehicle. However, that being said, I will vote to concur with the Board’s findings this time, and simply ask that they consider my suggestion in the future.”

Mr. Snitzky stated:

“I’ve been very much so involved in these discussions, updating the recreational vehicle ordinance, and it has taken an awful lot of time, but I think all in all we managed to come to some reasonable consensus. We updated the ordinance that probably helped out 80% of the people in the City that had concerns. There were a few left over, and it’s nice to see that the Zoning Board of Appeals process works to the general benefit of most of the residents. I think all in all this has worked out to be okay, and I’m glad it’s over.”

Mr. Barth stated:

“The comments that I have are going to pertain to all three variance requests. A few meetings ago we passed an ordinance to regulate the parking of recreational vehicles in driveways. Councilman Draganic and Councilman Snitzky did a great deal of work in meeting with all the parties involved in crafting the final ordinance, and I thought it was a good ordinance. However, there were some residents who did not agree with the ordinance passed and made a request to the Zoning Board of Appeals for a variance to the ordinance. The variance was granted, and that’s why we’re here tonight. As a Councilman, it’s my responsibility to pass ordinances and follow them -- not to render opinions or be judgmental on decisions made by the Zoning Board of Appeals. Therefore, even though I feel the ordinance we passed a few weeks ago is a good one, and I do not agree with the Zoning Board of Appeals to grant this variance, our process allows for the Zoning Board of Appeals to assess the variance request and make their decision based on that assessment. The Zoning Board of Appeals did not abuse their discretion in any way in granting the variance, so I remain consistent and will concur with their decision as I did the last time a variance request came before this Council, and I will support it.

Roll Call: all yea

MOTION CARRIED

The variance request for John and Jacqueline Millard of 940 Starlight Drive has been passed.

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Mr. Trafis continued:

At the February 6, 2013 Zoning Board of Appeals Meeting, the Board made the following motion regarding a variance request heard:

“Should the applicant, Albert M. Szczepanik, property owner of 294 Starlight Drive, be granted a variance to Ordinance No. 1143.08(b)(2) to allow the property owner’s recreational vehicle which is approximately 31 feet in length but not exceeding 40 feet in total length to be stored on the driveway of the home forward of the front building line at least 20 feet from the edge of the pavement of the street from April 1 to October 31 of each year for only so long as the applicant owns and resides at the property.

Roll Call: 4 yea, 1 nay

Motion Approved”

MOTION

by Mr. Trafis, seconded by Mr. Snitzky, to concur with the findings of the Zoning Board of Appeals of February 6, 2013, in granting the variance request of Albert Szczepanik of 294 Starlight Drive, to Ordinance No. 1143.08(b)(2), Parking of Recreational Vehicles, to allow a recreational vehicle (camper), which is approximately 31 feet in length but not exceeding 40 feet in total length, to be stored on the driveway of the home forward of the front building line and at least 20 feet from the pavement of the street, from April 1st to approximately October 31st of each year, for as long as Albert M. Szczepanik owns and resides at 294 Starlight Drive.

Roll Call: all yea

MOTION CARRIED

The variance request of Albert M. Szczepanik of 294 Starlight Drive has been passed.

At the February 6, 2013 Zoning Board of Appeals Meeting, the Board made the following motion regarding a variance request heard:

“Should the applicant, Daniel Piteo, property owner of 780 Mapleview Drive, be granted a variance to Ordinance No. 1143.08(b)(2) to allow a boat with a length of 22’ 11 ¼” with a 26’ trailer to be parked on the driveway so that 5 feet, 5 inches extends forward of the front building line of the home.

Roll Call: 5 yea, 0 nay

Motion Approved”

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Mr. Trafis continued:

MOTION by Mr. Trafis, seconded by Mr. Barth, to concur with the findings of the Zoning Board of Appeals of February 6, 2013, in granting the variance request of Daniel Piteo of 780 Mapleview Drive, to Ordinance No. 1143.08(b)(2), Parking of Recreational Vehicles, to allow an approximately 23-foot long boat with a 26-foot long trailer, to be parked in the driveway on the side of the home so that 5 feet, 5 inches extends forward of the front building line of the house, for as long as Daniel J. Piteo owns and resides at 780 Mapleview Drive.

Mr. Trafis stated:

“I just want to mention that for this particular boat, the boat is on the side of the house – it only extends a couple feet past the garage. Mr. Piteo is definitely doing the right thing by requesting a variance, and I recommend that Council pass it.”

Roll Call: all yea

MOTION CARRIED

The variance request of Daniel J. Piteo of 780 Mapleview Drive has been passed.

To Al Szczepanik and Jackie Millard, who are in the audience, I have to say that I admire your persistence. Congratulations on finally getting the variance granted.

Last thing, at the next Caucus Meeting, I will be chatting with my colleagues about a couple potential items of savings at the Recreation Center and the utilities that the City pays. We did a great job with the budget. Jack Johnson and Joe Hotchkiss did some terrific things. I think that we are budgeting in 2013 a little bit more than what we should be for these particular items given that we spent a lot less in 2012.

Mr. Snitzky:

I just wanted to thank the Administration for the professionalism and the thoroughness in which they presented the budget to us. Jack, I think you did a great job – especially for a rookie.

Mr. Barth replied, “He’s no rookie!”

Someone is newer than me? But, I thought it was really wonderful. I thought you did a great job. President Barth, I thought you ran the meeting very well – very concise and to the point. I think it was good, again, to do the budget hearings as we did on a Saturday like that.

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Mr. Bentkowski:

I waited until after the votes, because I didn't want to jeopardize your votes, but I'm very happy for you that those variances were passed. I actually feel sorry for you that you had to go through all this process. I think it was a big waste of your time. If you go back to the very beginning, I said from day one, our whole ordinances and our whole attempt to regulate these recreational vehicles is inconsistent. It doesn't make sense. One guy is allowed to have it way back here, and who is to say what is an ugly recreational vehicle or not, etc. You were there for all those meetings and heard me speak in your defense time and time again. So, even just the vote today, and again don't get me wrong Council, I'm happy you all voted for this, but this vote just shows how silly this is. You three now have approval to have these motor homes in front of your house. So, what's the point of the ordinance? So, my point is, going forward, we should continue to be liberal. We should continue to respect that a home is yours, and yours to enjoy. It's foolish to think that your recreational vehicle looks uglier than the other guy's, etc. I feel like you had to jump through a lot of hoops. Going forward we should continue to be liberal. I've raised many good points about why some of these ordinances are foolish. Do we want people to have to build a shelter? Do we want people to park it on the side of their house right next to their neighbor's bedroom window? There are so many different houses. There are so many different scenarios. No one can even give me a really good reason in the first place why we're regulating these. Again, I do apologize. I feel like you had to jump through some hoops, but I'm happy with your end result.

I'll echo the sentiments about how the budget hearings were great. Mike, again, continued thanks, and kudos to you for helping implement those hearings years ago. For anyone who sat through those budget hearings, one thing you heard is, again, the proposals from the Mayor were very consistent with the type of ship we've been running the last couple of years as part of this process. It just reaffirms that we've been running a tight ship for a long time and there's nothing to cut. When you see how we were able to close the gap the last couple of years, we've talked about it many times, we did it with the buyouts in Service, we did it with the debt restructuring, we did it by not paying for certain roads like we have in years past. That really became clear as we went through Department by Department. Good job, Mayor. Good job, Council. Good job, Finance. But, again, it bears repeating, it's going to be tough sledding going forward. There is nothing left to cut. I've been saying it for years that I ran a tight ship, and Mike ran a tight ship, and Rick ran a tight ship as Council President. And for those of us who have been demonized the last five or six years as the economy tanked, the fact is I don't hear anybody coming up with any other new ideas on things to cut, because there simply is not a lot to cut. I have a few things I'll be bringing forward in the next couple of weeks, because I think there are a few things we can do differently. They're not good cuts. They're not things that we're going to enjoy doing. But I'm going to have to weigh those compared to some of our other needs, such as new streets. But all in all it just demonstrates that we do a nice job up here and we have been running a tight ship. And we're running out of rabbits to pull out of the hat.

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Mr. Bentkowski continued:

It was quoted in the paper that one of my major worries is our balanced budget for next year is based on a projection that we're going to collect \$5 million in income taxes. That's about what we collected last year, and I'm hopeful, but there were years just three or four years ago, where we collected \$3.6 million. If we collect \$3.6 million next year by some fault, or we collect \$4 million – boom – there's \$1 million, \$1.4 million in deficit. So, this is something we're just really going to have to keep tabs on. It seems like we're doing well, but we collected \$5 million last year, and there's no guarantee we're going to collect \$5 million next year.

Mr. Draganic:

Three points -- and really just clarification on what some of my colleagues have said today. First the Council President made a comment that we should be concurring with the Zoning Board of Appeals. However, I believe it's our duty to either approve, deny, or modify. We have those options as a Council, and that has been explained to us a number of times -- so that the record is clear. Furthermore on that subject, we've been in a number of meetings together, you've heard me speak, and I get the impression that you feel like I was against you personally on this matter. But I want you to know that sometimes I'm forced to play devil's advocate in order to fully flush an issue out. Furthermore, it's not about you at all. None of this is personal, this is about the proper process, which leads me into Councilman Bentkowski's statement, when he said that this is a silly process that you had to go through, and I respectfully disagree with him. We have laws for a particular reason. Should we have no laws, and no zoning enforcement, you can imagine what kind of City we might have. We would have homes built with all kinds of crazy additions and whatnot. People might be parking trailer homes in their front yards. Those are some extreme examples, but there's a reason why we have these laws -- but you can see how out of hand it can get. Unfortunately, in a city of 5,000-plus homes, it's very difficult to have one-size-fits-all anything. That's why we have a variance Board. We try to apply the best logical rules that we possibly can in order to maintain a good and safe and decent community. However, we understand that there are times where the rules don't fit every circumstance, and therefore we allow for the variance. So, it's a process. None of it is silly. It's all here to protect me, to protect you, and to protect everyone in this City -- to protect your values, to protect your safety, to protect your sanctity of life here in the City of Seven Hills.

One more thing I would like to make sure that is not taken as a mischaracterization are the budget matters at the Recreation Center. I was at that same budget meeting along with Councilman Trafis. When the issue of some increased expenses came up, naturally everybody asked what the justifications were for such increases. It was pointed out to us by the Director of the Recreation Center that a lot of that increase was associated with programs that would increase revenue as well, so these were increased expenditures that were expected to turn a profit, not just an increase in costs. I want to make sure that this is in the record that it is at least being characterized properly.

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Council President Barth had no miscellaneous comments.

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.

Director of Public Service and Properties Lovece had no formal report.

Engineer Papke had no formal report.

Building Commissioner Moro was not present.

REPORTS AND COMMUNICATIONS FROM THE MAYOR-SAFETY DIRECTOR

Mayor Dell'Aquila:

I just want to clarify for the record that our new Finance Director is not a rookie, and was a very adept free agent signing, and I think that was justified by the presentation he made during the budgetary process which resulted, I think, a glaring indication of where we are, where we're going, and the fine work that he did along with our Deputy Finance Director Joe Hotchkiss, I think, puts us in a very strong position to hopefully bring in a balanced budget result at the end of 2013 as we did at the end of 2012.

I presented at Caucus our 2013 Garage Sale Dates schedule. I have an additional copy here that I'll present to the Council Clerk so that it can get into the minutes, and we'll be posting that for our residents to take advantage of this coming season.

(The Seven Hills 2013 Garage Sale Dates schedule has been appended and attached to these minutes as an exhibit.)

The Charter Review Commission, which was appointed recently, had its first organizational meeting this evening. It promulgated a schedule of meetings going forward.

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Mayor Dell'Aquila continued:

The first meeting – and these by the way are all public meetings, they are open to the public to attend – will be at 6:00 p.m. In fact, they are all at 6:00 p.m. The upcoming meeting next will be held on **March 11th**, and that meeting will be open not only for public attendance but also comment from the public with regard to the Charter. The next meeting will be **March 25th**, then on **April 8th**, and then on **April 22nd**. The last meeting they scheduled was actually for a Wednesday, at 6:00 p.m., and that will be on **May 8th**. Again, those are all open to the public.

Lastly, just as a point of clarification with regard to the recent flurry of meetings and activity that the combined Rules Committee and Safety Committee of Council held with regard to the supposed deer issue in Seven Hills and at which we had some commentary from the ODNR. At the last meeting Council had there was a room full of participants in the audience, and I think one or two of them may have actually been residents of the City. I want to clarify, if my spam filter is any indicator, there continues to be some misimpression out there that there is a proposal to hunt deer at City expense. I want to clarify that this Administration has no intention of hunting deer at City expense, and any statement to the contrary is, frankly, bologna. I hope that puts an end to the frenzy. I suspect that it doesn't. Again, if my email is any indication, this is only the beginning of a tsunami over this issue. Again, this Administration will not be hunting deer at City expense.

MOTION by Mr. Barth, seconded by Mr. Bentkowski, to adjourn the meeting.
Roll Call: all yea

MOTION CARRIED

The February 25, 2013 Council Meeting was adjourned at 8:42 p.m.

Michael C. Barth, President of Council

Attest: _____
Carol L. Sekerak, Clerk of Council

Date: _____

Seven Hills
2013 Garage Sale Dates

April

25 (Thurs.) Residents' Garage Sales • 8:00 a.m. – 6:00 p.m.
26 (Fri.)
27 (Sat.)

May

16 (Thurs.) Residents' Garage Sales • 8:00 a.m. – 6:00 p.m.
17 (Fri.)
18 (Sat.)

June

20 (Thurs.) Citywide Garage Sale • 8:00 a.m. – 6:00 p.m.
21 (Fri.)
22 (Sat.)

July

18 (Thurs.) Residents' Garage Sales • 8:00 a.m. – 6:00 p.m.
19 (Fri.)
20 (Sat.)

August

22 (Thurs.) Residents' Garage Sales • 8:00 a.m. – 6:00 p.m.
23 (Fri.)
24 (Sat.)

September

19 (Thurs.) Residents' Garage Sales • 8:00 a.m. – 6:00 p.m.
20 (Fri.)
21 (Sat.)

October

17 (Thurs.) Residents' Garage Sales • 8:00 a.m. – 6:00 p.m.
18 (Fri.)
19 (Sat.)