

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD May 13, 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 3 Councilwoman Lecznar, Ward 4 Councilman Draganic, Director of Public Service and Properties Lovece, and Engineer Papke. Absentee was Building Commissioner Moro.

READING AND DISPOSAL OF JOURNAL

MOTION by Mrs. Lecznar, seconded by Mr. Tripi, to accept the Minutes of the Regular Council Meeting held April 22, 2013, as printed, with the following amendment:
Correct the spelling of the last name of County Executive Ed "Fitzgerald" to include a capital "G" – *FitzGerald* – wherever it appears throughout said minutes.

Roll Call: all yea

MOTION CARRIED

CONSENT AGENDA

MOTION by Mr. Tripi, seconded by Mrs. Lecznar, to accept the Consent Agenda of May 13, 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 will hold its next regular meeting on Monday evening, May 20, 2013. Mr. Trafis stated that the minutes from the previous meeting (April 15, 2013) are on file with the Clerk of Council.

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Public Works

Public Works Chairman Bentkowski stated that the Committee last met on Monday evening, May 6, 2013, and the minutes from that meeting are on file with the Clerk of Council.

Mr. Bentkowski stated that the Public Works Committee will hold its next regular meeting on Monday evening, June 3, 2013.

Community Services

Community Services Chairman Snitzky stated that the Committee last met on Monday evening, May 6, 2013, and the minutes from that meeting are on file with the Clerk of Council.

Mr. Snitzky stated that the Committee will hold its next regular meeting on Monday evening, June 3, 2013.

Police and Fire

Police and Fire Committee Chairman Draganic stated that the Committee will hold its next regular meeting on Monday evening, May 20, 2013.

Parks and Recreation

Parks and Recreation Committee Chairman Tripi stated that the Committee will also hold its next regular meeting on Monday evening, May 20, 2013.

Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chairperson Lecznar stated that the Committee last met on Monday evening, May 6, 2013, and the minutes from that meeting are on file with the Clerk of Council.

Mrs. Lecznar stated that the Rules Committee will hold its next regular meeting on Monday evening, June 3, 2013.

Finance, Civil Service, and Personnel

Finance, Civil Service, and Personnel Chairman Barth stated that the Finance Committee last met on Monday evening, May 6, 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, May 20, 2013.

APPOINTMENTS AND CONFIRMATIONS

There were no appointments or confirmations.

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COMMUNICATIONS, PETITIONS, AND CLAIMS

The Clerk of Council stated she would like to acknowledge a thank-you card recently received from seven-year-old Hailey Crouch of 7557 Oakwood Drive, addressed to the Mayor and Seven Hills City Hall, reading “A little word of thanks.....for a whole lot of nice!”, and which also included a picture of herself along with a sweet personal note, printed in her best, blocked, elementary school penmanship:

Thank you Mayor and Seven Hills for making my 7th Birthday Party so special at the Rec. Center. Love, Hailey Crouch”

Council President Barth stated that we send our love back to Hailey.

COUNCIL OPEN TO THE AUDIENCE ON LEGISLATION ONLY

There were no questions or comments from the audience.

ORDINANCES AND RESOLUTIONS

Ordinance No. 38-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A TECHNICAL SERVICE SUPPORT AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH PHYSIO-CONTROL, INC., FOR PERFORMING ANNUAL TECHNICAL SERVICE SUPPORT OF THE FIRE DEPARTMENT’S LIFEPAK 12 DEFIBRILLATOR/MONITOR AND BATTERY SUPPORT SYSTEMS, AND APPROPRIATING THE SUM NOT TO EXCEED FIVE THOUSAND ONE HUNDRED FORTY-FIVE DOLLARS (\$5,145.00) FOR SAID SERVICE.

MOTION by Mr. Draganic, seconded by Mr. Bentkowski, to read Ordinance No. 38-2013 by title only for its third and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 38-2013 was read by full title only for its third and final reading.

MOTION by Mr. Draganic, seconded by Mr. Bentkowski, to pass Ordinance No. 38-2013.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 38-2013 IS DECLARED PASSED.

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Ordinance No. 46-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A THREE-YEAR LEASE AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH PARMA COMMUNITY GENERAL HOSPITAL IN ORDER TO LEASE 600 SQUARE FEET OF OFFICE SPACE, ALONG WITH NON-EXCLUSIVE USE OF THE PUBLIC RECREATIONAL SPACE, INCLUDING THE POOL, LOCKER ROOMS, AND COMMUNITY ROOMS, AND COMMON AREAS WITHIN THE RECREATION CENTER, AND THE COMMON AREAS AND PUBLIC PARKING AREAS ON THE PREMISES WITHIN THE SEVEN HILLS COMMUNITY RECREATION CENTER TO PARMA COMMUNITY GENERAL HOSPITAL FOR USE BY PHYSICAL THERAPY PATIENTS.

Ordinance No. 46-2013 was read by full title only for its second reading.

Ordinance No. 47-2013 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH CONTINENTAL FIRE & SECURITY, INC., OF INDEPENDENCE, OHIO, FOR THE PURPOSE OF PREVENTATIVE MAINTENANCE FOR THE FIRE AND SPRINKLER ALARM SYSTEMS AT THE COMMUNITY RECREATION CENTER FOR ONE YEAR COMMENCING JANUARY 1, 2013 THROUGH DECEMBER 31, 2013; AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$2,210.00 FOR SAID SERVICE.

Ordinance No. 47-2013 was read by full title only for its second reading.

Ordinance No. 48-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT WITH ENTERTAINMENT ENTERPRISES FOR THE PURPOSE OF PROVIDING A BUNGEE TRAMPOLINE AND CLIMBING WALL RENTAL FOR THE CAMP PICNIC AT THE RECREATION CENTER AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$2,092.00 FOR SAID TRAMPOLINE AND CLIMBING WALL.

Ordinance No. 48-2013 was read by full title only for its second reading.

Ordinance No. 49-2013 – AN ORDINANCE TO AMEND CHAPTER 125, MAYOR, AS CONTAINED IN TITLE FIVE, ADMINISTRATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF REPEALING SECTION 125.082, RECREATION BOARD SECRETARY.

Ordinance No. 49-2013 was read by full title only for its second reading.

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Ordinance No. 50-2013 – AN ORDINANCE TO AMEND TITLE FIVE, ADMINISTRATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF REPEALING CHAPTER 149, ENTITLED “RECREATION BOARD”.

Ordinance No. 50-2013 was read by full title only for its second reading.

MOTION by Mr. Bentkowski, seconded by Mr. Draganic, to amend Ordinance No. 51-2013 by adding the emergency clause to Section 4.

Mr. Bentkowski stated:

“The ‘and declaring an emergency’ was included in the title, but it was not included in the body.”

Roll Call: all yea

MOTION CARRIED

Amended Ordinance No. 51-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH INSIGHT PIPE CONTRACTING, LP, OF HARMONY, PA., FOR AN AMOUNT NOT TO EXCEED \$38,847.50, FOR SANITARY SEWER LINING AND POINT REPAIRS AT THE CROSSVIEW AND EAST RIDGEWOOD INTERSECTION AND POINT REPAIR AT 6024 CROSSVIEW IN THE CITY OF SEVEN HILLS; AND DECLARING AN EMERGENCY.

MOTION by Mr. Bentkowski, seconded by Mr. Draganic, to read Amended Ordinance No. 51-2013 by title only for its final reading.

Roll Call: all yea

MOTION CARRIED

Amended Ordinance No. 51-2013 was read by full title only for its final reading.

MOTION by Mr. Bentkowski, seconded by Mr. Draganic, to pass Amended Ordinance No. 51-2013 as an emergency measure.

Mr. Bentkowski stated:

“Just for public disclosure, I happen to live on Crossview. This has nothing to do with my house. It’s down the road a ways, as is the 6024 house. I don’t have a dog in this race, but in the interest of disclosure, I’m revealing that and the Law Director says I have no conflict here so I can vote on it.”

Roll Call: all yea

MOTION CARRIED

AMENDED ORDINANCE NO. 51-2013 IS DECLARED PASSED.

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Ordinance No. 52-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH NICKS TREE SERVICE OF NORTHFIELD CENTER, OHIO, FOR AN AMOUNT NOT TO EXCEED \$3,000.00 FOR HAZARDOUS TREE REMOVALS AT JOHN GLENN PARK AND FROELICH CEMETERY IN THE CITY OF SEVEN HILLS; AND DECLARING AN EMERGENCY.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to read Ordinance No. 52-2013 by title only for its final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 52-2013 was read by full title only for its final reading.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to pass Ordinance No. 52-2013 as an emergency measure.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 52-2013 IS DECLARED PASSED.

Ordinance No. 53-2013 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH THE BOARD OF EDUCATION OF THE PARMA CITY SCHOOL DISTRICT OF PARMA, OHIO, TO PROVIDE TRANSPORTATION FOR RECREATIONAL PROGRAMS SPONSORED BY THE CITY THROUGH ITS RECREATION COMPLEX FROM JANUARY 1, 2013 THROUGH AND INCLUDING DECEMBER 31, 2013; AUTHORIZING AN AMOUNT NOT TO EXCEED \$4,000.00 FOR SAID SERVICE; AND DECLARING AN EMERGENCY.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to read Ordinance No. 53-2013 by title only for its final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 53-2013 was read by full title only for its final reading.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to pass Ordinance No. 53-2013 as an emergency measure.

Mr. Bentkowski stated:

“I want to thank the Parma Schools publicly. This is a program we started eight years ago with them. Many of the successful programs that we’ve gotten up and running over the years at the Recreation Center that now make us money we couldn’t have done without their involvement over the years and their supplying certain services. So, publicly, we certainly appreciate the Parma Schools.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 53-2013 IS DECLARED PASSED.

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COUNCIL OPEN TO THE AUDIENCE

Tom Jaros, 224 Crescent Ridge Drive:

“Good evening. It appears that Ordinance No. 50-2013’s elimination of the Recreation Board is presented in the spirit of decreased government transparency and elimination of direct taxpayer input into the Recreation Center. In my opinion, the message to the taxpayers from City Hall supporters of this message should be clear. Those City Hall supporters feel that mushrooms are best if left in the dark. Former Mayor David Bentkowski and his appointed Recreation Center Director saw no need for the oversight with a taxpayer populated Recreation Board. Mayor Bentkowski violated Seven Hills Charter law through his failure to establish a Recreation Board. Approximately \$2 million in Recreation Center losses followed under the sole Recreation Center oversight of Mayor Bentkowski. The Recreation Board was and is currently required by Seven Hills Chartered law cost taxpayers nothing. Why should the Recreation Center free of direct taxpayer oversight be the personal play toy of any Mayor? The Charter Review Committee is recommending the removal of the stipulation for a Recreation Board from the Charter. Until removal of that stipulation from the Charter, Mayor Dell’Aquila is violating Seven Hills law through his failure to appoint members to a Recreation Board. This basic statement is available at open44131.com. Thank you.”

Council President Barth stated:

“Thank you, Mr. Jaros. I’d just like to remind you that the time to make comments on legislation is prior to the reading of the legislation.”

MISCELLANEOUS

Mr. Trafis:

Just one thing tonight. I wanted to say that I attended the Mayor’s State of the City Address. It was a very informative evening for our residents. I’m glad that you are continuing that practice each year that you’re in office.

Mr. Snitzky:

I’d like to echo that, too. I thought that it was a very, very well put together presentation. I think it showed an awful lot of improvement – an awful lot more to do -- but, some real positive things that I’m proud to be a part of. I’d like to thank you for your good work.

Mr. Bentkowski:

I’ll simply caution Mr. Jaros that falsely accusing someone of a crime is slander, per se. I take my reputation very seriously, and I would caution you to get your facts straight before you make such statements.

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Mrs. Lecznar:

I'd just like to wish all the mothers a belated Happy Mother's Day.

I'd also like to remind people that the deer survey is still out there. I'm getting a tremendous response, and I really appreciate it. There was a little glitch and the deer survey was taken down from the website, but it is now back up. So, please spread the word that there is a survey, and I would really like to get as much input as possible.

Mr. Tripi:

A couple of things. Number one, I also attended the Mayor's State of the City Address, and it was very informative, and very positive.

I'd also like to say that there is a planned power outage for the Bayberry Estates area. I believe it is Wednesday and Thursday. I had the sheet, but I think I left it in the back room. But, some houses on Bayberry, Waxberry, Primrose, and Firethorn, in particular, will get notices tomorrow from CEI. They put new power lines underground and they're going to do the connections over the next two days – I think Wednesday and Thursday of this week – if the weather cooperates. So, that's just a heads up for the residents of those areas.

Mr. Draganic:

Simply, my apologies to the Mayor for not attending his State of the City – I was out of town on business when that took place. I understand you did a great job.

Council President Barth:

Mayor, I'm just going to echo the same thing. It was very informative, and very well done. I got a lot of positive comments on it from people in my ward. So, thank you.

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:

A special thanks to the eight or so workers that volunteered from General Motors this Saturday with the Engineer, the Engineering Technician, and myself, and a few others, as part of the River Sweep Work at City Hall here.

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City Engineer Papke:

Just a word of thanks to the GM folks that came out and did some improvements here – topsoil and seeding. It was a little bit misty with rain, but we suffered through it, and they did a really great job volunteering for us.

Council President Barth added “We can always use volunteers. That’s for sure!”

Building Commissioner Moro was not present.

REPORTS AND COMMUNICATIONS FROM THE MAYOR-SAFETY DIRECTOR

Mayor Dell’Aquila:

No formal report this evening. I just wanted to express my thanks to everybody up here for your kind words regarding the State of the City speech. To respond to the question that was raised, the videotape of the presentation is available through a link on the City’s website. I also want to express my thanks to the Parma City Schools for videoing the speech and creating the presentation which can be reached through that link.

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

Roll Call: all yea

MOTION CARRIED

The May 13, 2013 Council Meeting was adjourned at 8:24 p.m.

Michael C. Barth, President of Council

Attest: _____

Carol L. Sekerak, Clerk of Council

Date: _____