

City of Seven Hills

Record of Minutes of

COUNCIL MEETING HELD June 9, 2014

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 Barth, Councilwoman-at-Large Lecznar, Councilman-at-Large Trafis, Ward 1 Councilman Bryda, Ward 2 Councilman Fraundorf, Ward 3 Councilman Snitzky, Ward 4 Councilwoman Ernst, and Director of Public Service and Properties and Acting City Engineer Lovece. Absentee was Building Commissioner Moro.

READING AND DISPOSAL OF JOURNAL

MOTION by Mr. Fraundorf, seconded by Mrs. Lecznar, to accept the Minutes of the Regular Council Meeting held May 27, 2014, as printed.

Roll Call: all yea

MOTION CARRIED

CONSENT AGENDA

Council President Barth stated:

“I'd like to make note that Councilman Trafis will be recusing himself from voting on Consent Agenda No. 2 because of a conflict created by the Bentkowski litigation.”

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to accept **Consent Agenda No. 1** of June 9, 2014, as printed, if there is no division of the question.

Roll Call: all yea

MOTION CARRIED

MOTION by Mrs. Lecznar, seconded by Mr. Fraundorf, to accept **Consent Agenda No. 2** of June 9, 2014, as printed, if there is no division of the question.

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, yea; Trafis (recused)

6 yea, 0 nay (Trafis recused)

MOTION CARRIED

RESOLUTIONS OF COMMENDATION

Resolution No. 16-2014 – A RESOLUTION OF COMMENDATION TO MARIE LUKACEVIC ON HER 103RD BIRTHDAY.

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MOTION by Mrs. Lecznar, seconded by Mr. Barth, to read Resolution No. 16-2014 in its entirety for its first and final reading.
Roll Call: all yea **MOTION CARRIED**
Resolution No. 16-2014 was read in its entirety by the Clerk of Council for its first and final reading.

Mrs. Lecznar made the following comments:

“I’d like to congratulate you on your 103 years! I did a little research and wanted to find out what else happened 103 years ago. You were actually born the same year Ronald Reagan was. Ty Cobb hit his 40th straight game that year in July. Ford introduced the Model T. There have been quite a few models since that time. Also, Madame Curie got her second Nobel Peace Prize. This is a great feat for you and you look absolutely wonderful. I wish you a lot of luck in future coming years. And as we say in Polish, ‘Sto Lat’, which you have already gotten there so.....’Ja Jeszcze Sto Lat’.”

Mr. Trafis made the following comments:

“Hi, Mrs. Lukacevic. Matt Trafis here. I’ve gotten to know you a little bit over the years when my father.....”

Mrs. Lukacevic’s daughter, from her seat in the audience, interrupted Mr. Trafis saying she was sorry for breaking in inappropriately, but that Mrs. Lukacevic could not hear. She said that Mrs. Lukacevic did want to say something but would have to come closer and approach the dais.

Marie Lukacevic approached the dais and stated:

“I want to thank all of you for the jobs that you’re doing. I remember being here in 1940 when we first bought our land. And Mayor Lingler was also a bus driver on Broadview Road. I used to come to the Council Meetings – I remember the different men. Christopher French used to come to my house. Seven Hills has been a great part of my life. God Bless all of you.”

Council President Barth replied, “God Bless you!”

Marie Lukacevic added, “I’m from Ward 4. Where is my Ward 4 Council Representative?”

Council President Barth directed Mrs. Lukacevic to Councilwoman Ernst.

Mrs. Lukacevic directly addressed Mrs. Ernst, “I was going to call you. I have macular degeneration. And when you reach 103, the price that you pay is you lose your vision and your hearing. Sometimes your sense of smell. But I bless all of you! Thank you.”

Councilwoman Ernst thanked Mrs. Lukacevic.

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Council President Barth stated:

“Mrs. Lukacevic, while you’re up here, we have this Commendation for your wall. And also here’s a copy of the agenda with your name on it that you can have. And this is for you – thank you!”

Mrs. Lukacevic’s son, from his seat in the audience, made the following remarks:

“I would just like to make one comment. She and Jesse Owens were classmates at East Tech. Jesse Owens told her for her to be a better runner her heels had to touch her buttocks. That’s what Jesse Owens told her years and years ago.”

Mrs. Lukacevic introduced her family who were in the audience – her great grandchildren, her son and his wife, her daughter, and her grandchildren. She said her grandson-in-law was Assistant Principal at North Royalton School. Mrs. Lukacevic said her grandkids are all A students and that she was very proud of all of them.

Marie Lukacevic and her family received a round of applause from everyone present.

Council President Barth asked if there were any further comments from the dais for the record.

Mr. Trafis picked up with his comments:

“My comments are more for the family of Mrs. Lukacevic. I’ve had the opportunity to know Mrs. Lukacevic for many years now. I got to know her when my father was the Mayor. I just want to tell you real quick – I don’t know if most of you know this or not. But in 2011, I believe she would have been about 100 years old, in November, Mrs. Lukacevic came to one of our election night parties at a local tavern and enjoyed a beverage with us. That was one of the greatest experiences of my life. I hope I didn’t get her into too much trouble.”

Council President Barth made the following remarks:

“I’d just like to say, Mrs. Lukacevic, thank you so much for your service as a member of our Garden Club. Your efforts and the efforts of your fellow club members certainly help beautify our City, and they are very much appreciated. 103 years old – Wow! My mother is 92 and you are a lot older than she is. Think about it, 103 years everyone. You’ve lived through eighteen Presidents. William Howard Taft was the President when you were born. World War I had not yet started. I guess I could go on and on about the history over the last 103 years, but you are fortunate to have seen so much in your lifetime with your family. Seven Hills is so lucky to have had you for so many years. Thank you and congratulations. We pray for your health, and that the eighteen Presidents you have lived through, you will see number nineteen!”

Mrs. Marie Lukacevic received a hearty round of applause from the audience and all present.

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Council President Barth invited any comments from the audience.

Mrs. Lukacevic's granddaughter made the following comments from her place in the audience:

"I just wanted to say – regarding Councilman Trafis' comment -- that morning I called my Grandma and asked if she needed help with her pond. She said she might need some help and I told her not to do anything until I got there. She has a small pond in her yard. When I got there she was standing on the rocks balancing herself with her cane. She was taking the bucket with the cane trying to get the water out of the pond so that she could empty the pond to save the fish in there for the winter. So we worked all day – I had told her that she wasn't to do anything until I got there. We worked all day and we wore ourselves out and I went home. Later on that evening around 7:00 p.m. I kept calling her house because I wanted to make sure she was okay. The phone kept ringing and ringing and ringing. Of course I was thinking that maybe she was on the floor somewhere because she overdid it that day. So about 9:00 p.m. I thought I should go over and check on her. Before I did I called my Aunt Mary and I told her I couldn't get a hold of Grandma. My Aunt Mary told me that my Grandma was at the local bar watching the polls come in! That will always be a very funny memory of mine."

Councilman Trafis added, "I'll take responsibility for that – I'm sorry. I'll never forget that!"

MOTION by Mrs. Lecznar, seconded by Mr. Barth, to adopt Resolution No. 16-2014 as an emergency measure.

Roll Call: all yea

MOTION CARRIED

RESOLUTION NO. 16-2014 IS DECLARED ADOPTED.

Council President Barth stated:

"I would like to tell the family that this is going to be a long meeting. Don't feel bad about getting up to leave."

Mrs. Lukacevic's family wished everyone a good summer and thanked Council and the Administration for Marie's commendation.

Mrs. Lecznar added, "Cherish her please."

Council President Barth said, "See you back here next year!"

There was a short pause in the meeting while members of the audience exited Council Chambers.

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REPORTS OF COMMITTEES

Planning, Zoning, and Economic Development

Planning, Zoning, and Economic Development Committee Chairman Trafis stated that the Committee last met in Special Session on Monday evening, May 5, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Trafis said that the Committee will hold its next regular meeting on Monday evening, June 16, 2014.

Public Works

Public Works Committee Chairman Bryda stated that the Committee last met on Monday evening, June 2, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Bryda said that the Committee will hold its next regular meeting on Monday evening, July 7, 2014.

Community Services

Community Services Committee Chairman Fraundorf stated that the Committee last met on Monday evening, June 2, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mr. Fraundorf stated that the Committee will hold its next regular meeting on Monday evening, July 7, 2014.

Police and Fire

Police and Fire Committee Chairman Snitzky stated that the Committee last met on Monday evening, May 19, 2014, 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 16, 2014.

Parks and Recreation

Parks and Recreation Committee Chairperson Lecznar stated that the Parks Committee will also hold its next regular meeting on Monday evening, June 16, 2014.

Rules, Ordinances, and Ethics

Rules, Ordinances, and Ethics Committee Chairperson Ernst stated that the Committee last met Monday evening, June 2, 2014, and the minutes from that meeting are on file with the Clerk of Council. Mrs. Ernst stated that the Committee will hold its next regular meeting on Monday evening, July 7, 2014.

Finance, Civil Service, and Personnel

Finance, Civil Service, and Personnel Committee Chairman Barth stated that the Committee last met in regular session on Monday evening, June 2, 2014, and the minutes from that meeting are forthcoming. Mr. Barth stated that the Finance Committee will hold its next regular meeting on Monday evening, June 16, 2014.

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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

Amended Ordinance No. 71-2014 – AN ORDINANCE TO AMEND SECTION 1133.05, TIME LIMIT ON LAWN AND LANDSCAPE INSTALLATION FOR RESIDENTIAL LOTS, AS CONTAINED IN CHAPTER 1133, LANDSCAPING AND LAWN SERVICES, OF TITLE THREE, LOCAL BUILDING PROVISIONS, OF PART ELEVEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, FOR THE PURPOSE OF ADDING A NEW SECTION 1133.05(c) WHICH WILL STATE GUIDELINES FOR AN UNIMPROVED LOT IN A SUBDIVISION AND INCREASE THE PENALTY FOR VIOLATION OF SECTION 1133.05.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to table Amended Ordinance No. 71-2014.

Mr. Trafis stated:

“We decided to table this Ordinance just to give us a little bit more time to run it past our Law Department and to make it a little bit more stronger and enforceable.”

Roll Call: all yea

MOTION CARRIED

Amended Ordinance No. 71-2014 was tabled.

Amended Ordinance No. 73-2014 – AN ORDINANCE TO AMEND SECTION 107.04(b), REGULARLY SCHEDULED MEETINGS OF COUNCIL, AND AMEND SECTION 107.05(a), REGULARLY SCHEDULED MEETINGS OF COMMITTEES OF COUNCIL, AS CONTAINED IN CHAPTER 107, PUBLIC NOTICE AND PUBLIC MEETINGS, OF TITLE ONE, GENERAL PROVISIONS, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF AMENDING COUNCIL MEETING TIMES, EFFECTIVE SEPTEMBER 1, 2014 AND THEREAFTER.

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MOTION by Mrs. Ernst, seconded by Mr. Bryda, to read Amended Ordinance No. 73-2014 by title only for its third and final reading.
Roll Call: all yea **MOTION CARRIED**
Amended Ordinance No. 73-2014 was read by full title only for its third and final reading.

MOTION by Mrs. Ernst, seconded by Mr. Bryda, to pass Amended Ordinance No. 73-2014.

Mr. Trafis stated:

“I just want to say that there are occasional times when residents may come to our meetings and we may need a little bit more time than the half-hour that is going to be allotted. This isn’t the end of the world type of thing. I just think that everything is fine the way it is right now. Thank you.”

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, yea; Trafis, nay.
6 yea, 1 nay **MOTION CARRIED**

AMENDED ORDINANCE NO. 73-2014 IS DECLARED PASSED.

Amended Ordinance No. 74-2014 – AN ORDINANCE TO AMEND SECTION 121.09, RULE 1(a), REGULAR MEETINGS, AS CONTAINED IN SECTION 121.09, RULES OF COUNCIL, OF CHAPTER 121, COUNCIL, OF TITLE THREE, LEGISLATIVE, OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO, FOR THE PURPOSE OF AMENDING THE TIME COUNCIL MEETINGS COMMENCE, EFFECTIVE SEPTEMBER 1, 2014 AND THEREAFTER.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to read Amended Ordinance No. 74-2014 by title only for its third and final reading.
Roll Call: all yea **MOTION CARRIED**
Amended Ordinance No. 74-2014 was read by full title only for its third and final reading.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to pass Amended Ordinance No. 74-2014.

Roll Call: Barth, yea; Bryda, yea; Ernst, yea; Fraundorf, yea;
Lecznar, yea; Snitzky, yea; Trafis, nay.
6 yea, 1 nay **MOTION CARRIED**

AMENDED ORDINANCE NO. 74-2014 IS DECLARED PASSED.

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Ordinance No. 88-2014 – AN ORDINANCE AMENDING ORDINANCE NO. 18-2014, PASSED BY COUNCIL ON FEBRUARY 24, 2014, AND APPROPRIATING A SUM NOT TO EXCEED \$930.00 FOR TRANSPORTATION TO PITTSBURGH, PENNSYLVANIA, ON APRIL 10, 2014; (DUE TO LACK OF PARTICIPANTS, THE ORIGINAL TRIP TO WHEELING, WEST VIRGINIA, SCHEDULED FOR MARCH 5, 2014, NOT TO EXCEED \$1,560.00, WAS CANCELLED); AND AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH LAKEFRONT LINES, INC./HOPKINS, OF CLEVELAND, OHIO, TO PROVIDE TRANSPORTATION FOR THE BUS TRIP TO PITTSBURGH, PENNSYLVANIA, ON APRIL 10, 2014.

Ordinance No. 88-2014 was read by full title only for its second reading.

Ordinance No. 89-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH LAKEFRONT LINES, INC./HOPKINS, OF CLEVELAND, OHIO, TO PROVIDE TRANSPORTATION FOR BUS TRIPS TO SALAMANCA, NEW YORK (June 2, 2014 -- \$2,100.00); BLISSFIELD, MICHIGAN (July 9, 2014 -- \$3,825.00); ERIE, PENNSYLVANIA (August 7, 2014 -- \$1,250.00); COLUMBUS, OHIO (September 4, 2014 -- \$1,350.00); DETROIT, MICHIGAN (October 2, 2014 -- \$1,500.00); MEADOW LANDS, PENNSYLVANIA (November 6, 2014 -- \$1,400.00); AND WHEELING, WEST VIRGINIA (December 4, 2014 -- \$1,900.00); AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$13,325.00 FOR SAID TRIPS.

Ordinance No. 89-2014 was read by full title only for its second reading.

Ordinance No. 90-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN ANNUAL PROFESSIONAL SERVICE CONTRACT WITH NATALIE KRIST FOR THE PURPOSE OF PROVIDING ZUMBA CLASSES AT THE RECREATION CENTER FOR THE PERIOD COVERING JANUARY 1, 2014 THROUGH DECEMBER 31, 2014.

Ordinance No. 90-2014 was read by full title only for its second reading.

Ordinance No. 91-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH COURTVIEW JUSTICE SOLUTIONS OF NORTH CANTON, OHIO, FOR THE PURPOSE OF PERFORMING ANNUAL MAINTENANCE AND SUPPORT OF THE MAYOR'S COURT GBS SOFTWARE AND THE RIGHT-TO-USE LICENSE AND APPROPRIATING THE SUM NOT TO EXCEED ONE THOUSAND NINE HUNDRED EIGHTY-FIVE DOLLARS (\$1,985.00) FOR SAID SERVICE.

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Ordinance No. 91-2014 was read by full title only for its second reading.

Ordinance No. 92-2014 – AN ORDINANCE TO AMEND CHAPTER 151, EMPLOYEES GENERALLY, 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 ADDING NEW SUBSECTION 151.084, ENTITLED “LONGEVITY FOR DIRECTORS”.

Ordinance No. 92-2014 was read by full title only for its second reading.

Amended Ordinance No. 93-2014 – AN ORDINANCE ENACTING NEW CHAPTER 1144, ENTITLED “VACANT PROPERTIES”, AS CONTAINED IN TITLE THREE, LOCAL BUILDING PROVISIONS, OF PART ELEVEN, BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF SEVEN HILLS, OHIO.

Amended Ordinance No. 93-2014 was read by full title only for its second reading.

Ordinance No. 96-2014 – AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A GRANT AGREEMENT WITH THE PARMA HOSPITAL HEALTH CARE FOUNDATION ALLOWING THE CITY TO ACCEPT A GRANT AWARD OF \$50,000.00 TO BE USED ONLY ON INITIATIVES AIMED AT IMPROVING AND ENHANCING THE HEALTH OF SEVEN HILLS CITIZENS AND THE SEVEN HILLS COMMUNITY; AND DECLARING AN EMERGENCY.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to read Ordinance No. 96-2014 by title only for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 96-2014 was read by full title only for its first and final reading.

MOTION by Mr. Snitzky, seconded by Mr. Trafis, to pass Ordinance No. 96-2014 as an emergency measure.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 96-2014 IS DECLARED PASSED.

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Ordinance No. 97-2014 – AN ORDINANCE AMENDING AMENDED ORDINANCE NO. 72-2014, PASSED BY COUNCIL ON MAY 27, 2014, AND APPROPRIATING A SUM NOT TO EXCEED \$910.00 FOR TRANSPORTATION TO THE COLUMBUS STATE HOUSE ON JUNE 10, 2014, DUE TO UNAVAILABILITY OF A BUS FROM LAKEFRONT LINES FOR SAID TRIP; AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH MIDTOWN EXPRESS BUS LINES, INC., OF CLEVELAND, OHIO, TO PROVIDE TRANSPORTATION FOR A BUS TRIP TO THE COLUMBUS STATE HOUSE, COLUMBUS, OHIO, ON JUNE 20, 2014; AUTHORIZING AN AMOUNT NOT TO EXCEED \$1,050.00 FOR SAID TRIP; AND DECLARING AN EMERGENCY.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to read Ordinance No. 97-2014 by title only for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Ordinance No. 97-2014 was read by full title only for its first and final reading.

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to pass Ordinance No. 97-2014 as an emergency measure.

Roll Call: all yea

MOTION CARRIED

ORDINANCE NO. 97-2014 IS DECLARED PASSED.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to amend Ordinance No. 98-2014 by adding the words “**and declaring an emergency**” to the title, and by adding the emergency clause to Section 5.

Roll Call: all yea

MOTION CARRIED

Amended Ordinance No. 98-2014 – AN ORDINANCE TO APPROPRIATE THE SUM OF \$327,882.50 FOR THE FURNISHING OF ALL LABOR AND PERFORMING ALL WORK FOR THE 2014 ROAD MAINTENANCE PROGRAM IN THE CITY OF SEVEN HILLS, OHIO; DETERMINING AND ACCEPTING THE BID OF BURTON SCOT CONTRACTORS, LLC, OF NEWBURY, OHIO, TO BE THE LOWEST AND BEST BID, THEREFORE; AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO A CONTRACT FOR SAID PROJECT; AND DECLARING AN EMERGENCY.

MOTION by Mr. Bryda, seconded by Mrs. Ernst, to read Amended Ordinance No. 98-2014 by title only for its first and final reading.

Roll Call: all yea

MOTION CARRIED

Amended Ordinance No. 98-2014 was read by full title only for its first and final reading.

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MOTION by Mr. Bryda, seconded by Mrs. Ernst, to pass Amended Ordinance No. 98-2014 as an emergency measure.

Mr. Bryda stated:

“I would just like to say that we moved this Ordinance to an emergency to allow the contractor to get to work on some of our roads as soon as possible.”

Roll Call: all yea

MOTION CARRIED

AMENDED ORDINANCE NO. 98-2014 IS DECLARED PASSED.

Ordinance No. 99-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH COMPMANAGEMENT, INC., OF CLEVELAND, OHIO, FOR THE PURPOSE OF ADMINISTRATING WORKERS COMPENSATION CLAIMS AND ONLINE CLAIMS ACCESS BEGINNING SEPTEMBER 1 2014; AND AUTHORIZING AN AMOUNT NOT TO EXCEED \$2,725.00 FOR SAID SERVICE.

Ordinance No. 99-2014 was read by full title only for its first reading.

Ordinance No. 100-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH WARWICK, INC., OF BROADVIEW HEIGHTS, OHIO, TO PROVIDE A SUNBELT VIPRE ENTERPRISE LICENSE (3-YEAR TERM), AN ANTIVIRUS AND ANTISPYWARE DETECTION ENGINE, FOR THIRTY-FIVE LICENSES, ALONG WITH INSTALLATION ON THE CITY OF SEVEN HILLS COMPUTERS IN ALL DEPARTMENTS; AND APPROPRIATING THE SUM NOT TO EXCEED ONE THOUSAND THREE HUNDRED FIFTY DOLLARS (\$1,350.00) FOR SAID PURCHASE.

Ordinance No. 100-2014 was read by full title only for its first reading.

Ordinance No. 101-2014 – AN ORDINANCE AUTHORIZING AND DIRECTING THE MAYOR TO ENTER INTO AN AGREEMENT ON BEHALF OF THE CITY OF SEVEN HILLS, OHIO, WITH THE REGIONAL INCOME TAX AGENCY OF BRECKSVILLE, OHIO, IN AN AMOUNT NOT TO EXCEED \$7,500.00, TO PARTICIPATE IN THE DELINQUENT TAXPAYER SUBPOENA PROGRAM WITH RITA AT AT COST OF \$8.00 PER SUBPOENA MAILED.

Ordinance No. 101-2014 was read by full title only for its first reading.

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Amended Resolution No. 14-2014 – A RESOLUTION OF THE CITY OF SEVEN HILLS, OHIO, EXPRESSING THE MAYOR’S AND COUNCIL’S SUPPORT FOR RETAINING NORMANDY HIGH SCHOOL AS ONE OF THE OPERATING HIGH SCHOOLS IN THE PARMA CITY SCHOOL DISTRICT.

MOTION by Mr. Barth, seconded by Mrs. Lecznar, to read Amended Resolution No. 14-2014 by title only for its third and final reading.

Mr. Fraundorf stated:

“Amended Resolution No. 14-2014 – I am voting against Amended Resolution No. 14-2014. In my opinion this is a politically motivated resolution. This Ordinance’s verbiage supporting the retention of Normandy High School is burdened by reference to a Parma City School Board member. Let’s call it what it is. Those who have been around the Seven Hills political scene recognize this as a thinly veiled criticism of Parma School Board member Kathy Petro and by extension her husband, a former Seven Hills Council member and Mayoral candidate. Despite the never-ending statements to the contrary, the politicizing of issues in Seven Hills continues, unabated, with Amended Resolution No. 14-2014. Therefore, I publicly state that I am fully supportive of Normandy High School as an integral part of the fabric of Seven Hills. I taught for two (2) years at Normandy. My two (2) children graduated from Normandy. But I cannot vote for this Amended Resolution in its present form. Thank you.”

Mrs. Ernst stated:

“I will also be voting ‘no’. I would like to state that my vote of ‘no’ on Amended Resolution No. 14-2014 should not be construed as a lack of support for retaining Normandy High School. My ‘no’ vote is in response to what I see as a political posturing in the wording of the Resolution. When the Resolution was drafted, I respectfully requested that the second statement referencing a Parma City School Board member be removed from the Resolution. My reason was that a political statement did not belong in a City resolution, and while I supported the intent of the Resolution, I could not vote for it as written. My request was declined by the President of Council. I cannot in good conscience vote ‘yes’ on the Resolution as written.”

Roll Call: all yea

MOTION CARRIED

Amended Resolution No. 14-2014 was read by full title only for its third and final reading.

MOTION by Mr. Barth, seconded by Mrs. Lecznar, to adopt Amended Resolution No. 14-2014.

Mr. Trafis stated:

“Over the years I’ve made my support for Normandy High School and all the schools in the Parma City School District very clear. Normandy is a very important part of the history of Seven Hills and the future of Seven Hills and I certainly continue to support Normandy’s existence.”

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Mr. Trafis (continued):

“This particular Resolution, in my viewpoint, is nothing but political posturing. There are absolutely no formal discussions within the School District about closing Normandy to date. I have suggested numerous times that we remove the first two ‘Whereas’ clauses in this Resolution, and I would certainly vote for it then. In this form, I believe that the Resolution is simply inappropriate. Thank you, Mr. President.”

Council President Barth stated:

“Back in 2010 there was considerable discussion about consolidating high schools in the Parma City School District. As an alternate part of a consolidation plan talks centered on closing Normandy High School, but thousands of parents and alumni objected citing Normandy’s educational successes and tradition. Seven Hills Elected Officials were very vocal in their opposition as well, and went as far as retaining legal counsel in its efforts to keep Normandy open. We were successful, and Normandy was left open. Now, just 3½ years later there is again talk of closing one of the School District’s three high schools. School Board Member Kathy Petro was quoted as saying in a recent *Sun News* article that she does not believe the District needs three high schools. She repeated that in a letter dated May 12, 2014 that was delivered to our Clerk just moments before Council began its meeting that evening. She said, in part, the District cannot be efficient while having three schools. She went on to say that, however, there is no plan to consolidate and/or close any buildings in our District. That statement is contrary to what others intimately involved have told me – that the closing of a high school was most certainly discussed at recent meetings. But even if what Mrs. Petro says is true, what can a simple Resolution stating that this Mayor and Council support Normandy and are opposed to its closing hurt, other than political relationships. In my position I try to be non-political in meetings on this dais. But when I first proposed this Resolution I was accused by some on Council of playing political games, and the political ally, Mrs. Petro, implied I was shirking my duties as Council President. So I feel I must respond. Given the circumstances, saying I am playing political games is somewhat hypocritical. What can the motivation be, and why, in her May 12th public letter, Mrs. Petro tries to embarrass me by implying that I don’t care about Parma Schools by saying it was a shame that I now want to be part of a management team and the strategic planning of the Parma Schools. I will go on the record once again -- I never received an invitation. If I didn’t care about our schools, this Resolution of Support for Normandy would not be in front of us here tonight. Also, there are five other Councilpersons other than myself and Councilman Trafis sitting up here tonight. So I ask the question -- why was her political ally the only one to receive an invitation?”

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Council President Barth (continued):

“If the intentions of the invitations were not political, Mrs. Petro should have made sure that I, as Council President, was contacted and asked to appoint a representative. That would have been the proper way to do it. I assure all that this is not a political game on my part. I am not the one putting politics and relationships ahead of the good and welfare of the Seven Hills residents and students. Agree or disagree with all or part of this Resolution, I would like to thank the other members of Council for their comments and their participation in discussion of this Resolution. Councilman Bryda suggested some changes to the original Resolution. They were discussed and the Resolution was amended to reflect those changes. Citing politics, there was considerable discussion about removing the first two ‘Whereas’s’ which referred to the newspaper article but does not name Mrs. Petro. If the Resolution was meant to be political in nature as some claim, her name would have been included in the Resolution. I maintain that a majority of my colleagues agree that reference to the newspaper should remain because it is the premise for the Resolution. It was a spirited discussion, but that is how the process should play out. This non-binding Resolution is now up for a vote, so to those on this dais, it is time once again for our elected officials and residents to stand united in their message to the Parma City School District. That message is that Seven Hills will oppose and fight any attempt to close Normandy High School.”

Roll Call: Barth, yea; Bryda, yea; Ernst, nay; Fraundorf, nay;
Lecznar, yea; Snitzky, yea; Trafis, nay

4 yea, 3 nay

MOTION CARRIED

AMENDED RESOLUTION NO. 14-2014 IS DECLARED ADOPTED.

Resolution No. 17-2014 – A RESOLUTION APPROVING THE PROPOSED TAX BUDGET FOR THE CITY OF SEVEN HILLS, OHIO, FOR THE FISCAL YEAR 2015.

Resolution No. 17-2014 was read by full title only for its first reading.

COUNCIL OPEN TO THE AUDIENCE

There were no questions or comments from the audience.

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MISCELLANEOUS

Mr. Bryda:

Saturday I attended the Seven Hills Baseball Federation Opening Day picnic for the baseball league. I had a good time and enjoyed the event quite well. I was thankful that the weather that we had on Sunday didn't show up on Saturday.

Council President Barth answered, "Amen to that!"

Mr. Trafis:

I, too, with Jeff and a few others up here, was at the Opening Day Ceremonies for the Baseball Federation. It was a great event, just like it is every year. I was very pleased to be there again.

I would also like to say that I am happy about Ordinance No. 98-2014 passing. It's going to be great to see some road crews out there fixing these streets in our neighborhoods this summer.

I do have two more items. I had a Zoning Board of Appeals Meeting last week.

At the June 4, 2014 Zoning Board of Appeals Meeting, the Board made the following motion regarding a variance request heard:

"The Zoning Board of Appeals voted whether the applicant, Tony Isoniemi, property owner of 7193 Seven Hills Boulevard, should be granted a 196-foot variance to Ordinance No. 963.02(b)(1), Storage Sheds, to allow the property owner to place a 12' x 21' storage shed 206 feet from the North side yard lot line.

Roll Call: 4 yea, 0 nay

Motion Carried"

MOTION

by Mr. Trafis, seconded by Mr. Snitzky, to concur with the findings of the Zoning Board of Appeals of June 4, 2014, in granting the variance request of Timothy Isoniemi, as the property owner of 7193 Seven Hills Boulevard, a 196-foot variance to Ordinance No. 963.02(b)(1), Storage Sheds, to allow placement of a 12' x 21' storage shed 206 feet from the North side yard lot line.

Mr. Snitzky stated:

"Councilman Trafis might want to say that the variance request was unanimously approved by the Zoning Board."

Mr. Trafis replied:

"Both of these variances were unanimously approved."

Roll Call: all yea

MOTION CARRIED

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Also at the June 4, 2014 Zoning Board of Appeals Meeting, the Board made the following motion regarding a variance request heard:

“The Zoning Board of Appeals voted whether the applicant, Adam Wendt, property owner of 6788 Cheryl Ann Drive, should be granted a 24-square-foot variance to Ordinance No. 963.02(b)(6), Storage Sheds, to allow the property owner to construct a 12’ x 14’ (168 square foot) storage shed on a parcel that is less than 15,750 square feet.

Roll Call: 4 yea, 0 nay

Motion Carried”

MOTION by Mr. Trafis, seconded by Mr. Snitzky, to concur with the findings of the Zoning Board of Appeals of June 4, 2014, in granting the variance request of Adam Wendt, as the property owner of 6788 Cheryl Ann Drive, a 24-square-foot variance to Ordinance No. 963.02(b)(6), Storage Sheds, to allow the construction of a 12’ x 14’ (168 square foot) storage shed on a parcel that is less than 15,750 square feet.

Roll Call: all yea

MOTION CARRIED

Mrs. Ernst had no miscellaneous comments.

Mr. Snitzky:

I was at the Baseball Federation Opening Day – it was a glorious day. It’s always fun to go out there and watch the kids play baseball.

I also want to make an announcement that the Seven Hills Historical Society is going to be having a fund raiser at Mavis Winkles tomorrow night, June 10th, at 11:30 a.m. to 10:00 p.m. Anything you purchase from the store, Mavis will contribute 20% -- any food you purchase – Mavis will contribute 20% to the group. Come out and eat some Irish food.

Mr. Fraundorf:

I’d also like to say that I attended the Opening Day Ceremonies for the Baseball Federation on Saturday, and as everyone said, number one – the weather was absolutely beautiful, and number two – it was great to see all the parents and children participating in the event.

I’d also like to say to the Mayor, I know that your staff was there dishing out hot dogs and they’re working hard. They certainly contributed to the success of that event.

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Mrs. Lecznar:

I just have one public service announcement for people on garbage days. Please remember that rubbish should not be put out before 7:00 p.m. at night. When I'm driving home from work, I see that a lot of people already have their garbage out. It just leads to animals coming around and knocking the rubbish over, and garbage is left all over the street. It can turn into a bigger problem than not.

Secondly, this coming Sunday is Father's Day. I'd like to wish all the fathers on the dais a Happy Father's Day. I no longer have my dad anymore, but I know how precious he was to me. And I know what my husband means to my children. Without him, they wouldn't be here! Happy Father's Day to all the fathers.

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:

I was at Saturday's Baseball Opening Day, also, with my 9-year-old son, Raymond. He won his game 5 to 2!

Director of Public Service and Properties and Acting City Engineer Lovece:

I'd like to thank the Mayor, the Council President, all of Council, City Employees from All Departments, for their generous cards and gifts, and prayers and support during my time out on extended sick leave.

I also want to thank Normandy Baseball Boosters – Dave Mach – he's part of the Seven Hills Sidewinders – for donating infield dirt, a whole semi full, fencing, labor, and similar work at Hillside No. 2 Baseball Diamond. We now have 90-foot bases there. Thank you.

Council President Barth replied, "Thank you, Director, and welcome back – we missed you!"

Mr. Lovece said thank you.

Building Commissioner Moro was not present.

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REPORTS AND COMMUNICATIONS FROM THE MAYOR-SAFETY DIRECTOR

Mayor Dell'Aquila made the following remarks:

First I also want to welcome back our Service Director and Acting City Engineer Stewart Lovece. He went through a tough and difficult period of time. As everybody knows, and I think I've shared with everybody on the dais previously, he was actually calling me a couple of days after his surgery wanting to know how things were going and seeing what he could do to pitch in from his hospital room. His wife very prudently took his cell phone from him. Although I can say after that he also started using the landline. What a dedicated employee we have.

Also, thanks to everybody for your kind words about Baseball Opening Day. It was a great event – wonderful to see everybody out there. The great kids, the wonderful weather – we just all had a ball out there.

We all hear a lot around here about the need for transparency in City operations. Transparency in the sense that our residents have a right to know how decisions are made that affect their interests. And I truly believe that everyone on this dais understands and supports that concept. The goal of transparency is accountability. We all here are accountable to the voters for our decisions and how we make those decisions. Transparency without accountability is nothing more than a meaningless catch phrase. It does no good at all to claim transparency in putting out reams of information or hours of recordings, or page after page of internet postings, that no one has the time or inclination to sift through. If anything, dissemination of tons of unsolicited and unsorted information only leads to opacity and confusion. This is the very opposite of transparency. Therefore, if the goal of transparency is accountability for our decisions, then Resolution No. 14-2014 fills the bill completely.

We all owe our residents the right to know where we stand on the single-most important school issue for Seven Hills – opposing any move to close Normandy High School. The public education of our children and our property values are at stake. This Resolution would not be necessary but for the fact that Normandy High School has been the constant subject of various consolidation plans over the years.

We yet again, unfortunately, have a School Board Member speaking out in the papers about a supposed concern that three high schools are too many for our District. The School Board Member then sent a letter to Council reaffirming that statement, and that's fine – she's being transparent. But the next obvious question is, which of the three schools in our District should be closed then? And that's the problem. We cannot permit Normandy High School to be closed.

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Mayor Dell'Aquila (continued):

Those of us who were in City government back then know how difficult, expensive, and contentious the fight became the last time this bad idea came up. About 64% of our regular property taxes go to the schools. Seven Hills sends far more money to the schools than our children use. Study after study confirm that house buyers place quality schools and proximity to schools at the top of their agenda when buying a new home. Closing of schools creates a perception of disinvestment in a community and only drives down those property values.

You know the terms 'political' or 'politician' have come to mean many things over the years. Some good and some not so good. We are all here politicians in one sense of the word or another, dealing in a political environment. If we are to be successful it is important to work with each other to build consensus to advance the interests of the City and of our residents to the best of our ability. Consensus building means working with each other. It means being political. But it's important not to allow ourselves to drift into the negative connotation of the term 'politician' or the term 'political' by putting our personal connections or friendships with political allies above the legitimate interests of our constituents.

Thank you, Mr. President.

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

Roll Call: all ye

MOTION CARRIED

The June 9, 2014 Council Meeting was adjourned at 8:58 p.m.

Michael C. Barth, President of Council

Attest: _____

Carol L. Sekerak, Clerk of Council

Date: _____